

**Department of Legislative Services**  
Maryland General Assembly  
2005 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 50

(Delegate Boschert, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

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**POW/MIA Flag Display on State House Grounds**

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This bill requires that the POW/MIA flag be flown on the State House grounds on: (1) May 30, for Memorial Day; (2) the day that the U.S. Congress designates for the observance of Memorial Day if other than May 30; (3) the Saturday and Sunday that are closest to May 30, unless the U.S. Congress designates another day for the observance of Memorial Day, in which case the Saturday and Sunday that are closest to the day designated by the U.S. Congress; (4) the third Friday in September, for POW/MIA Recognition Day; (5) November 11, for Veterans' Day; (6) the day that the U.S. Congress designates for the observance of Veterans' Day if other than November 11; and (7) the Saturday and Sunday that are closest to November 11, unless the U.S. Congress designates another day for the observance of Veterans' Day, in which case the Saturday and Sunday that are closest to the day designated by the U.S. Congress. The State House Trust must determine where on the State House grounds the POW/MIA flag will be flown.

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**Fiscal Summary**

**State Effect:** General fund expenditures could increase by a minimal amount in FY 2006 for the purchase and installation of a flag pole on the State House grounds. Revenues would not be affected.

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Current Law:** The POW/MIA flag is not required to be flown from the State House.

**Background:** The POW/MIA flag was created by the National League of Families of American Prisoners and Missing in Southeast Asia. According to the national league, it is the only flag other than the United States flag that has ever been flown over the White House, which was first done in 1982 to commemorate National POW/MIA Recognition Day. Section 1082 of the 1998 Defense Authorization Act requires that the flag be flown at the White House; U.S. Capitol; the Departments of Defense, State, and Veterans' Affairs; headquarters of the Selective Service; major military installations; all federal cemeteries; and all post offices on Armed Forces Day, Memorial Day, Flag Day, Independence Day, National POW/MIA Recognition Day, and Veterans' Day. Finally, 2002 federal legislation requires the flag to be flown year round at the National Vietnam Veterans Memorial, the Korean War Veterans Memorial, and the World War II Memorial.

**State Fiscal Effect:** General fund expenditures could increase in fiscal 2006 for the purchase and installation of a flag pole on the State House grounds. However, the amount of any expenditure would depend on the location and type of flag pole installed, subject to approval of the State House Trust. The State House Trust is responsible for approving all construction or modifications to the State House or the State House grounds. The Department of General Services is responsible for flying flags from the State House. Flags range in cost between \$45 and \$70, depending on vendor, for a 4 foot by 6 foot flag.

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## Additional Information

**Prior Introductions:** This bill was introduced as HB 24 during the 2001 session. The bill received a favorable with amendments report by the House Commerce and Government Matters Committee and was passed by the House of Delegates; however, no action was taken by the Senate Finance Committee.

**Cross File:** None.

**Information Source(s):** Department of General Services, National League of Families of Prisoners and Missing in Southeast Asia, Department of Legislative Services

**Fiscal Note History:** First Reader - January 31, 2005  
ncs/hlb Revised - House Third Reader - March 30, 2005

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Analysis by: Michael Sanelli

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510