S T A T E O F N E W Y O R K

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I N S E N A T E

June 28, 2010

Introduced by Sens. LARKIN, SKELOS, LEIBELL, FARLEY, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the military law and the public buildings law, in relation to the display of certain flags upon the capitol building

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The military law is amended by adding a new section 267 to read as follows:

S 267. DESIGNATION OF HONOR AND REMEMBER FLAG FOR FALLEN MEMBERS OF THE ARMED FORCES. (A) LEGISLATIVE INTENT. THE LEGISLATURE OF THE STATE OF NEW YORK FINDS AND DETERMINES THAT:

(1) SINCE THE REVOLUTIONARY WAR, MORE THAN ONE MILLION MEMBERS OF THE UNITED STATES ARMED FORCES HAVE PAID THE ULTIMATE PRICE BY SACRIFICING THEIR LIVES IN THE LINE OF DUTY.

(2) THE CONTRIBUTIONS OF THOSE FALLEN MEMBERS OF THE ARMED FORCES ARE DESERVING OF NATIONAL RECOGNITION.

(3) CURRENTLY, THERE IS NO OFFICIALLY RECOGNIZED SYMBOLIC FLAG THAT ACKNOWLEDGES MEMBERS OF THE ARMED FORCES WHO DIED IN THE LINE OF DUTY.

(B) ADOPTION. THE NATIONAL HONOR AND REMEMBER FLAG FOR FALLEN MEMBERS OF THE ARMED FORCES SHALL BE THE OFFICIAL HONOR AND REMEMBER FLAG FOR THE STATE OF NEW YORK. THE HONOR AND REMEMBER FLAG IS THE SYMBOL OF OUR NATION'S CONCERN AND COMMITMENT TO HONORING AND REMEMBERING THE LIVES OF ALL MEMBERS OF THE UNITED STATES ARMED FORCES WHO HAVE LOST THEIR LIVES IN THE LINE OF DUTY.

(C) PROCUREMENT AND DISTRIBUTION OF FLAGS. NOT LATER THAN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION, THE COMMISSIONER OF GENERAL SERVICES SHALL COMMENCE THE PROCUREMENT OF HONOR AND REMEMBER FLAGS AND DISTRIBUTE THEM AS NECESSARY.

S 2. Subdivision 2 of section 3 of the public buildings law, as amended by chapter 118 of the laws of 1962, is amended to read as follows:

2. cause the flags of the United States [and], the state flag bearing the arms of the state AND THE FLAG COMMONLY DESIGNATED AS THE NATIONAL

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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HONOR AND REMEMBER FLAG, to be displayed upon the capitol building during the daily sessions of the legislature and on public occasions, and cause the necessary flagstaffs to be erected therefor. Cause the flag of the United States to be appropriately displayed at all times in the senate chamber and in the assembly chamber. Cause the flag of the United States to be appropriately displayed upon the walls of any hall or other meeting place in a public building under his supervision and control during any meeting or gathering of persons to which the public is invited. The necessary expenses incurred thereby shall be paid out of the treasury on the warrant of the comptroller.

S 3. This act shall take effect on the thirtieth day after it shall have become a law.