

HB

21

FISCAL NOTE

STATE OF ALASKA
2007 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB021-DOA-GS-1-30-07
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: Administration
 Title "An Act relating to the proper disposal of the RDU State Owned Facilities
State flag." Component Facilities
 Sponsor Representatives Harris, Hawker, Dahlstrom et al
 Requester _____ Component No 2429

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013
Personal Services	0.0	0.0	0.0	0.0	0.0	0.0
Travel	0.0	0.0	0.0	0.0	0.0	0.0
Contractual	0.0	0.0	0.0	0.0	0.0	0.0
Supplies	0.0	0.0	0.0	0.0	0.0	0.0
Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Land & Structures	0.0	0.0	0.0	0.0	0.0	0.0
Grants & Claims	0.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
-----------------------------	-----	-----	-----	-----	-----	-----

CHANGE IN REVENUES ()	0.0	0.0	0.0	0.0	0.0	0.0
-------------------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1003 GF Match	0.0	0.0	0.0	0.0	0.0	0.0
1004 GF	0.0	0.0	0.0	0.0	0.0	0.0
1005 GF/Program Receipts	0.0	0.0	0.0	0.0	0.0	0.0
1037 GF/Mental Health	0.0	0.0	0.0	0.0	0.0	0.0
Other (Specify Type--Do not abbreviate)	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2007) cost: 0.0

Mark this box (X) if funding for this bill is included in the Governor's FY 2008 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill should have no fiscal impact on the agency.

Prepared by: Vern Jones, Chief Procurement Officer
 Division General Services
 Approved by: Kevin Brooks, Deputy Commissioner
 Agency Department of Administration

Phone 465-2200
 Date/Time 1/30/07 11:00 AM
 Date 1/30/2007

Alaska State Legislature

**Chairman**

State Affairs Committee

Vice-ChairmanEconomic Development, Trade & Tourism
Committee**Member**Judiciary Committee
Joint Armed Services Committee**Finance Subcommittees**Corrections
Labor and Workforce Development
Military and Veterans' Affairs
Public Safety**Session:**Alaska State Capitol
Juneau, AK 99801-1182

Phone: (907) 465-4931

Fax: (907) 465-4316

Toll Free: (800) 870-4391

Interim:716 W. 4th Ave., #650
Anchorage, AK 99501-2133

Phone: (907) 269-0205

Fax: (907) 269-0207

A Communication From
REPRESENTATIVE BOB LYNN
District 31 Anchorage

E-Mail: Representative_Bob_Lynn@legis.state.ak.us
"Bob Lynn's Alaska Blog" RepBobLynnBlog.com

FAX

To: Legal Services**Fax #:** 2029**From:** Nancy Manly x2794
Alaska State Capitol, room 104
Juneau, AK 99801-1182**# of Pages (including cover):** 4

Phone: 907-465-4931

Fax: 907-465-4316

Re: State Affairs Final CS for HB 21

Please draft a final CS for HB 21. The committee adopted a CS for House Bill 21 Version E which was amended.

- 1) Use Version E (attached 1 page)
- 2) Amendment #1 - 25-LS0137\A.2 (attached 2 pages)

adopted

25-LS0137AE
Bullock
2/1/07

CS FOR HOUSE BILL NO. 21()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HARRIS, HAWK P, DAHLSTROM AND WILSON, Lynn, Kerttula

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the proper retirement of an official state flag."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 44.09.030 is amended by adding a new subsection to read:**

4 (c) An official flag of the state that is no longer a fitting emblem for display
5 because it is worn, tattered, or otherwise damaged may be respectfully retired by fire.

AMENDMENT #1

OFFERED IN THE HOUSE
TO: HB 21

BY REPRESENTATIVES GRUENBERG
AND DOLL

1 Page 1, line 1, following "Act":

2 Insert "relating to the state flag; and"

3

4 Page 1, following line 2:

5 Insert a new bill section to read:

6 **** Section 1.** AS 44.09.020 is amended to read:

7 **Sec. 44.09.020. State flag.** The design of the official flag is eight gold stars in
8 a field of blue, so selected for its simplicity, its originality, and its symbolism. The
9 blue, one of the national colors, typifies the evening sky, the blue of the sea and of
10 mountain lakes, and of wild flowers that grow in Alaskan soil, the gold being
11 significant of the wealth that lies hidden in Alaska's hills and streams.

12 The stars, seven of which form the constellation Ursa Major, the Great Bear, the most
13 conspicuous constellation in the northern sky, contains the stars which form the
14 "Dipper," including the "Pointers" which point toward the eighth star in the flag,
15 Polaris, the North Star, the ever constant star for the mariner, the explorer, hunter,
16 trapper, prospector, woodsman, and the surveyor. For Alaska the northernmost star in
17 the galaxy of stars represents Alaska, [AND WHICH AT SOME FUTURE TIME
18 WILL TAKE ITS PLACE AS] the forty-ninth star in the national emblem.

19 The flag of the Territory of Alaska is the official flag of the state. The standard
20 proportions and size graphically delineated herein shall be used in the manufacture of
21 the official flag of Alaska. The stars shall be the color of natural yellow gold and the
22 field of blue shall be of the same shade of blue used in the official manufacture of the
23 national emblem of the United States. The design, standard proportions, and size are

1 as follows:

2

3 (THE DESIGN, STANDARD PROPORTIONS, AND SIZE OF THE STATE FLAG
4 ARE SET OUT IN THE PRINTED STATUTES.)"

5

6 Page 1, line 3:

7 Delete "Section 1"

8 Insert "Sec. 2"

TRANSACTION REPORT

FEB-06-2007 TUE 11:59 AM

FOR: REPRESENTATIVE BOB LYNN 907 465 4316

SEND (M)

DATE	START	RECEIVER	PAGES	TIME	NOTE	M#
FEB-06	11:58 AM	2029	4	1' 00"	OK	15

AMENDMENT

OFFERED IN THE HOUSE
TO: HB 21

BY REPRESENTATIVES GRUENBERG
AND DOLL

1 Page 1, line 1, following "Act":

2 Insert "**relating to the state flag; and**"

3

4 Page 1, following line 2:

5 insert a new bill section to read:

6 *** Section 1.** AS 44.09.020 is amended to read:

7 **Sec. 44.09.020. State flag.** The design of the official flag is eight gold stars in
8 a field of blue, so selected for its simplicity, its originality, and its symbolism. The
9 blue, one of the national colors, typifies the evening sky, the blue of the sea and of
10 mountain lakes, and of wild flowers that grow in Alaskan soil, the gold being
11 significant of the wealth that lies hidden in Alaska's hills and streams.

12 The stars, seven of which form the constellation Ursa Major, the Great Bear, the most
13 conspicuous constellation in the northern sky, contains the stars which form the
14 "Dipper," including the "Pointers" which point toward the eighth star in the flag,
15 Polaris, the North Star, the ever constant star for the mariner, the explorer, hunter,
16 trapper, prospector, woodsman, and the surveyor. For Alaska the northernmost star in
17 the galaxy of stars represents Alaska, [AND WHICH AT SOME FUTURE TIME
18 WILL TAKE ITS PLACE AS] the forty-ninth star in the national emblem.

19 The flag of the Territory of Alaska is the official flag of the state. The standard
20 proportions and size graphically delineated herein shall be used in the manufacture of
21 the official flag of Alaska. The stars shall be the color of natural yellow gold and the
22 field of blue shall be of the same shade of blue used in the official manufacture of the
23 national emblem of the United States. The design, standard proportions, and size are

1 as follows:

2

3 (THE DESIGN, STANDARD PROPORTIONS, AND SIZE OF THE STATE FLAG
4 ARE SET OUT IN THE PRINTED STATUTES.)"

5

6 Page 1, line 3:

7 Delete "Section 1"

8 Insert "Sec. 2"

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

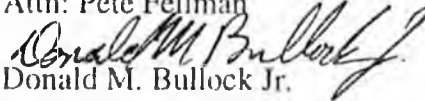
State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 1, 2007

SUBJECT: Fixing the title to more closely conform with subject of the bill (CSHB 210()); Work Order No. 25-LS0137(E)

TO: Representative John Harris
Speaker of the House of Representatives
Attn: Pete Fellman

FROM: 
Donald M. Bullock Jr.
Legislative Counsel

You requested that the word "shall" on page 1, line 5 of CSHB 21(), be replaced with the word "may." Please review the enclosed bill draft to ensure that it is consistent with your intent.

Please note that I changed the bill's title from, "An Act relating to the proper disposal of the state flag," to "An Act relating to the proper retirement of an official state flag." This change more closely matches the substance of the body of the bill that refers to "an official flag of the state" and provides for its "retirement."

The draft bill proposes to add a new subsection to AS 44.09.030. That section describes the proper display of the official flag of the state. The subsection that is proposed in the draft bill describes how a flag displayed under that section may be retired when it is no longer fit for display. The proposed subsection should be read in the context of AS 44.09.030.

If I may be of further assistance, please advise.

DMB:med
07-063.med

Enclosure

25-LS0137AE
Bullock
2/1/07

CS FOR HOUSE BILL NO. 21()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FIFTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): REPRESENTATIVES HARRIS, HAWKER, DAHLSTROM AND WILSON, Lynn, Kerttula

A BILL
FOR AN ACT ENTITLED

1 "An Act relating to the proper retirement of an official state flag."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * Section 1. AS 44.09.030 is amended by adding a new subsection to read:

4 (c) An official flag of the state that is no longer a fitting emblem for display
5 because it is worn, tattered, or otherwise damaged may be respectfully retired by fire.

Alaska State Legislature

Session: (Jan-May)
State Capitol, Room 208
Juneau, AK 99801-1182
(907) 465-4859
Fax (907) 465-3799

Interim: (June-Dec)
716 West 4th Avenue, Suite 300
Anchorage, AK 99501-2133
(907) 269-0129
Fax (907) 269-0128

John Harris
Speaker of the House

Sponsor Statement **House Bill 21- Proper Disposal of the State Flag**

House Bill 21 provides for the proper and respectful disposal of worn-out or damaged state flags in the same manner as the American flag. Currently, the state of Alaska has no statutory provision allowing the American Legion and the Veterans of Foreign Wars to include the Alaska state flag in their ceremonies for disposal of the American flag. If enacted, House Bill 21 will provide statutory authority to allow state flags to be included in those ceremonies.

The Ceremony for Disposal of Unserviceable Flags was approved through Resolution No.440 by the National Convention of The American Legion meeting in New York, New York, September 20-23, 1937, and has been an integral part of American Legion ritual since that date.

The American Legion was chartered by Congress in 1919 as a patriotic, mutual-help, war-time veteran's organization. It is a community-service organization that now numbers nearly 3 million in nearly 15,000 American Legion Post worldwide.

The VFW is a similar organization providing services for veterans of America's military who have served in a time of war

Continue

Ceremony for the Disposal of Unserviceable Flags

The Post assembles in meeting, out-of-doors, at night. Members are aligned in two parallel rows about twenty feet apart, facing each other. Officers at their stations as shown. A small fire is burning opposite the Commander and beyond the rows of members.

Sergeant-at-Arms: "Comrade Commander, we wish to present a number of unserviceable Flags of our Country for inspection and disposal."

Commander: "Comrade Sergeant-at-Arms advance with your detail and present the Flags for disposal and inspection."

(Sergeant-at-Arms calls his detail to attention. They form at the Post of the Sergeant-at-Arms, take the Flags which are to be inspected march abreast down center until opposite the Second Vice-Commander, turn right and halt two paces in front of the Second Vice-Commander. The Sergeant-at-Arms steps one pace forward and salutes.)

Sergeant-at-Arms: "Comrade Vice-Commander, we present these unserviceable Flags for your inspection."

Second Vice-Commander: "Is the present condition of these Flags the result of their usual service as the Emblem of our Country?"

Sergeant-at-Arms: "These Flags have become faded and worn over the graves of our departed comrades and the soldier and sailor dead of all our nation's wars."

Second Vice-Commander: "Present these Flags to the First Vice-Commander for his inspection." (The Sergeant-at-Arms salutes, about faces, commands the detail), "About Face," (crosses behind the detail and takes his post at its left, commands) "Forward March." (The detail marches to within two paces of the First Vice-Commander, halts and proceeds as before.)

Sergeant-at-Arms: "Comrade Vice-Commander, we present these Flags which have been inspected by the Second Vice-Commander, for your further inspection."

First Vice-Commander: "Have any of these Flags served any other purpose?"

Sergeant-at-Arms: "Some of these Flags have been displayed in various public places." First Vice-Commander, "Present them to the Commander for final inspection and fitting disposal."

(The Sergeant-at-Arms salutes, about faces, commands the detail), "About Face," (crosses behind the detail and takes position on its left commands), "Forward March." (The detail marches to center, turns left, halts within two paces of the Commander. Sergeant-at-Arms steps one pace forward and salutes.)

Sergeant-at-Arms: "Comrade Commander, we have the honor to present for final inspection and proper disposal these Flags of our Country."

Commander: "Have these Flags been inspected by the First and Second Vice-Commanders?"

Sergeant-at-Arms: "They have."

Commander: "Comrade Second Vice-Commander, what does your inspection show and what do you recommend?"

Second Vice-Commander: "Comrade Commander, since these Flags have become unserviceable in a worthy cause, I recommend that they be honorably retired from further service."

Commander: "Comrade First Vice-Commander, what does your inspection show and what do you recommend?"

First Vice-Commander: "Comrade Commander, since these Flags have become faded and worn in a tribute of service and love, I also recommend that they be fittingly destroyed."

Commander: "Comrades, we have presented here these Flags of our Country which have been inspected and

condemned as unserviceable. They have reached their present state in a proper service of tribute, memory and love.

"A Flag may be a flimsy bit of printed gauze, or a beautiful banner of finest silk. Its intrinsic value may be trifling or great; but its real value is beyond price, for it is a precious symbol of all that we and our comrades have worked for and lived for, and died for—a free Nation of free men, true to the faith of the past, devoted to the ideals and practice of Justice, Freedom and Democracy.

"Let these faded Flags of our Country be retired and destroyed with respectful and honorable rites and their places be taken by bright new Flags of the same size and kind, and let no grave of our soldier or sailor dead be unhonored and unmarked. Sergeant-at-Arms, assemble the Color Guard, escort the detail bearing the Flags and destroy these Flags by burning. The members shall stand at attention."

(Color Guard forms The detail about faces. Preceded by the Color Guard the detail marches down center to the fire. National Colors cross over and take position on the right of the fire, facing the Commander. Post Standard takes position on left of fire. The detail lines up behind the fire, which is burning low.)

Commander: "The Chaplain will offer prayer."

Chaplain: "Almighty God, Captain of all hosts and Commander over all, bless and consecrate this present hour,

"We thank Thee for our Country and its Flag, and for the liberty for which it stands. "To clean and purging flame we commit these Flags, worn-out in worthy service. As they yield their substance to the fire, may Thy Holy Light spread over us and bring to our hearts renewed devotion to God and Country. Amen."

Commander: "Hand salute."

(Color Guards present arms. Post Standard is dipped. All officers and members except those on the Flag detail salute. Members of the Flag detail dip the condemned Flags in kerosene and place them on a rack over the fire).

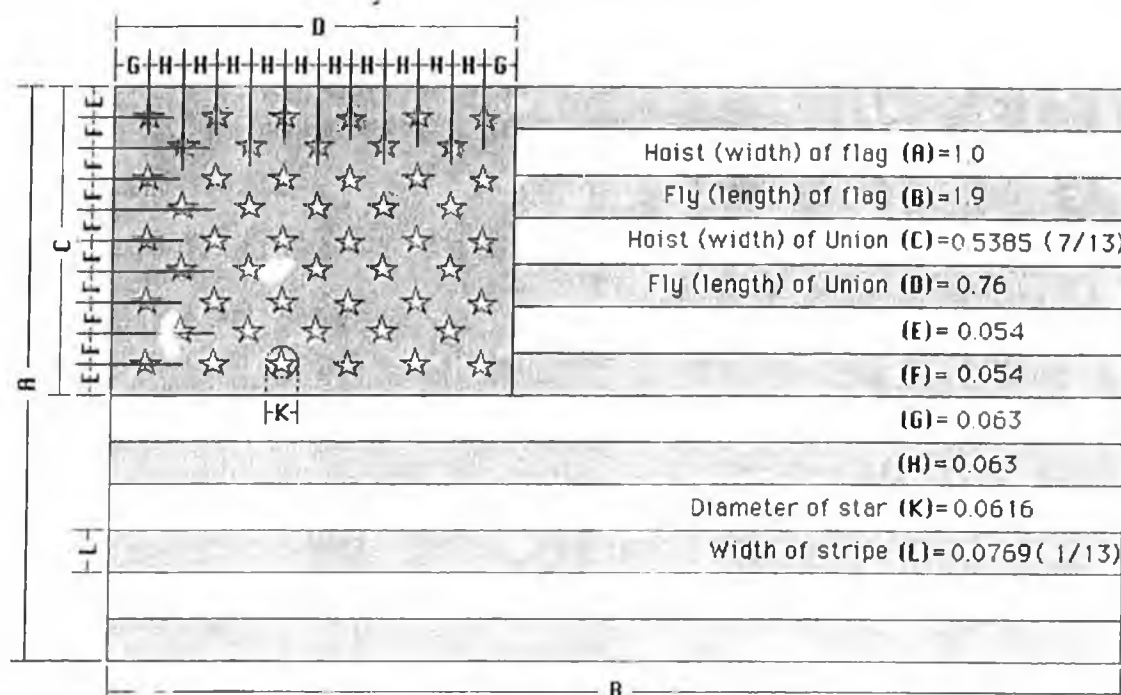
(Bugler sounds "To the Colors.")

Commander: (at conclusion of "To the Colors") "Two."

(The Color Guard shall resume its station and detail is dismissed.)

(Color Guard advances down center and places Colors. Members of the detail resume their places among the members.)

. Standard Proportions For The United States Flag



THE FLAG IS PRECISELY DEFINED BY LAW

On June 14, 1776, Congress made the following resolution: "The flag of the United States shall be thirteen stripes, alternate red and white, with a union of thirteen stars of white on a blue field..." Because Congress made no rule for the arrangement of the stars, they were displayed in different ways, most usually in a circle. As new states joined the Union, they demanded representation in the stars and stripes of the flag. In 1795 Congress voted to increase to 15 the number of stars and stripes. Legislation enacted in 1818 reestablished the number of stripes at 13 and instituted the policy, "That on the admission of every new state into the Union, one star be added to the Union of the flag..."

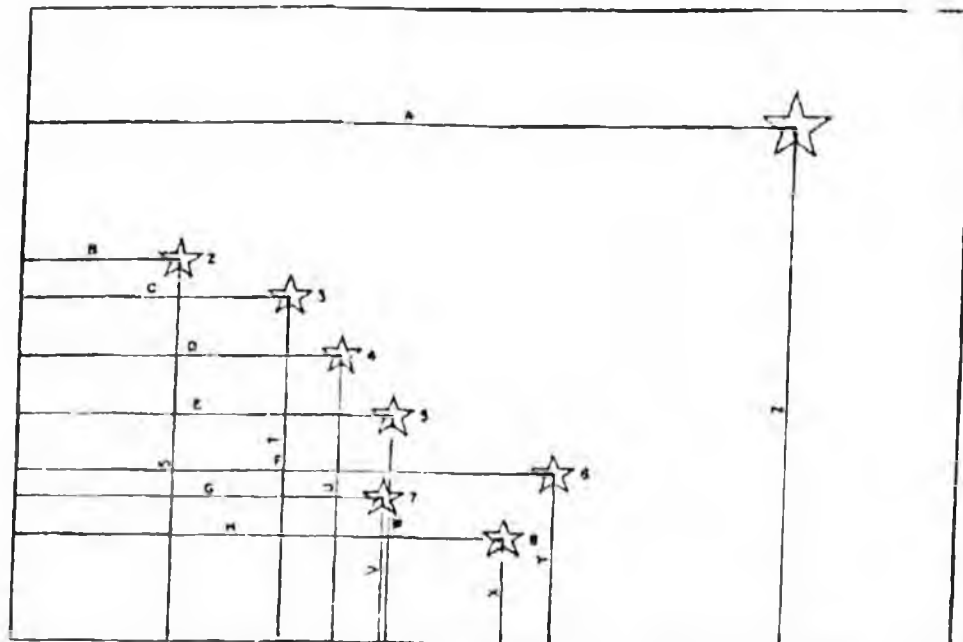
An executive order issued by President William Howard Taft on Oct. 29, 1912, fixed the overall width and length of the U.S. flag, known technically as the hoist and fly, respectively, in a ratio of 1: 1.9. The thirteen stripes were fixed at equal width. The hoist of the blue field containing the stars was fixed at seven-thirteenths of the overall hoist, that is, as extending from the top of the flag to the bottom of the seventh stripe. The fly of the blue field was fixed at a tiny fraction over three-fourths the overall hoist. The diameter of each star was established as a minute fraction under one-sixteenth of the overall hoist.

"The flag of the United States shall be thirteen horizontal stripes, alternating red and White; and the union of the flag shall be forty eight stars, white in a blue field." 61 Stat. 642, July 30, 1947, ch. 389. 4 U.S.C.A.1. **This describes the civil flag of the United States, as it is to be flown in the District of Columbia, its enclaves and overseas on ships and embassies.**

Currently, the Flag of the united States of America is defined as :

The American Flag of Peace of the united States of America is described as red, white and blue, with thirteen alternating red and white horizontal stripes, and a blue field (union) with 50 stars, one to represent each of the several States. The Flag is proportional, (1 X 1.9) . This proportion is easily determined by measuring the length (fly) and dividing by the measurement of the width (hoist). The length divided by the width should be very nearly 1.9. If the flag is not to the correct 1 X 1.9 proportion, it is not an official Title 4 U.S.C. 1, 2 American Flag of Peace of the united States of America.

Title 4 U.S.C. 1, 2 and Presidential Executive Order 10834, found in the Federal Register at Vol. 24. No. 166, P.6365 - 6367.



STATE PROPORTIONS AND SIZE

HOIST (WIDTH VERT) 1.000
 FLY (LENGTH HORZ) 1.416
 DIAM. LARGE STAR .104
 DIAM. SMALL STARS .062

1		2		3		4		5		6		7		8	
A	Z	B	S	C	T	D	U	E	W	F	Y	G	V	H	X
1.158	.818	.229	.604	.396	.542	.479	.463	.563	.360	.813	.271	.552	.229	.740	.167



United States Embassy Stockholm

The Flag of the United States
The Stars and Stripes

UNITED STATES CODE FLAG CODE

November 2001

- [What is the U.S. Code?](#)
- [About the U.S. Flag Code](#)
- [United States Code Title 36 Chapter 10](#)

Miscellaneous References

- [United States Code Title 4 Chapter 1](#)
- [United States Code Title 4 Chapter 2](#)
- [United States Code Title 5 Part III Chapter 29](#)
- [United States Code Title 5 Part I Chapter 1](#)
- [United States Code Title 18 Part I Chapter 33](#)
- [United States Code Title 2 Part I Chapter 9A](#)

What is the U.S. Code?

The United States Code is the official, subject matter order, compilation of the Federal laws of a general and permanent nature that are currently in force. In accordance with section 285b of title 2 of the U.S. Code, the Code is compiled by the Office of the Law Revision Counsel of the United States House of Representatives. The Code is divided into 50 titles by subject matter. Each title is divided into sections. Sections within a title may be grouped together as subtitles, chapters, subchapters, parts, subparts, or divisions. Titles may also have appendices which may be divided into sections, rules and/or forms.

The subjects covered by the 50 titles of the U.S. Code are:

1. General Provisions
2. The Congress
3. The President
4. Flag and Seal, Seat of Government, and the States
5. Government Organization and Employees
6. Surety Bonds (repealed by the enactment of Title 31)
7. Agriculture
8. Aliens and Nationality
9. Arbitration
10. Armed Forces
11. Bankruptcy
12. Banks and Banking
13. Census
14. Coast Guard
15. Commerce and Trade
16. Conservation
17. Copyrights
18. Crimes and Criminal Procedure
19. Customs Duties

20. Education
21. Food and Drugs
22. Foreign Relations and Intercourse
23. Highways
24. Hospitals and Asylums
25. Indians
26. Internal Revenue Code
27. Intoxicating Liquors
28. Judiciary and Judicial Procedure
29. Labor
30. Mineral Lands and Mining
31. Money and Finance
32. National Guard
33. Navigation and Navigable Waters
34. Navy (eliminated by the enactment of Title 10)
35. Patents
36. Patriotic Societies and Observations
37. Pay and Allowances of the Uniformed Services
38. Veterans' Benefits
39. Postal Service
40. Public Buildings, Property, and Works
41. Public Contracts
42. The Public Health and Welfare
43. Public Lands
44. Public Printing and Documents
45. Railroads
46. Shipping
47. Telegraphs, Telephones, and Radiotelegraphs
48. Territories and Insular Possessions
49. Transportation
50. War and National Defense

The " Flag Code "

All the states, at one time or another, have enacted laws relating to the United States Flag. Whereas the Federal Flag Code does not provide penalties for certain conduct or may not govern certain practices, state laws often do. At the national level, the Federal Flag Code (Title 36, U.S. Code, paragraph 170-178) provides uniform guidelines for the display of, and respect shown to, Our Flag, and conduct during playing of the National Anthem and the Pledge of Allegiance to the Flag. The Code is designed 'for the use of such civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments' of the federal government, such as the armed forces. The Flag Code does not prescribe any penalties for non-compliance nor does it include enforcement provisions. Rather, it functions as a guide to be *voluntarily* followed by civilians and civilian groups.

While the Code empowers the President of the United States to alter, modify, repeal or prescribe additional rules regarding the Flag, no federal agency has the authority to issue 'official' rulings legally binding on civilians or civilian groups. Consequently, different interpretations of various provisions of the Code may continue to be made. The Flag Code may be fairly tested: 'No disrespect should be shown to the Flag of the United States of America.' Therefore, actions not specifically included in the Code may be deemed acceptable as long as proper respect is shown.

United States Code Title 36 Chapter 10

Patriotic Customs

- § 170. National anthem; Star-Spangled Banner.
- § 171. Conduct during playing.
- § 172. Pledge of allegiance to the flag; manner of delivery.
- § 173. Display and use of flag by civilians; codification of rules and customs: definition.
- § 174. Time and occasions for display.
- § 175. Position and manner of display.
- § 176. Respect for flag.
- § 177. Conduct during hoisting, lowering or passing of flag.
- § 178. Modification of rules and customs by President.
- § 179. Design for service flag; persons entitled to display flag.
- § 180. Design for service lapel button; persons entitled to wear button.
- § 181. Approval of designs by Secretary of Defense; license to manufacture and sell; penalties.
- § 182. Rules and regulations.
- § 182a to 184. Repealed.
- § 185. Transferred.
- § 186. National motto.
- § 187. National floral emblem.
- § 188. National march.
- § 189. Recognition of National League of Families POW/MIA flag.

§170. National anthem; Star-Spangled Banner

The composition consisting of the words and music known as The Star-Spangled Banner is designated the national anthem of the United States of America.

§171. Conduct during playing

During rendition of the national anthem when the flag is displayed, all present except those in uniform should stand at attention facing the flag with the right hand over the heart. Men not in uniform should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should render the military salute at the first note of the anthem and retain this position until the last note. When the flag is not displayed, those present should face toward the music and act in the same manner they would if the flag were displayed there.

§172. Pledge of allegiance to the flag; manner of delivery

The Pledge of Allegiance to the Flag, 'I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.', should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute.

§173. Display and use of flag by civilians; codification of rules and customs; definition

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America is established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States. The flag of the United States for the purpose of this chapter shall be defined according to sections 1 and 2 of title 4 and Executive Order 10834 issued pursuant thereto.

§174. Time and occasions for display

- (a) Display on buildings and stationary flagstaffs in open; night display

It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.

- (b) Manner of hoisting

The flag should be hoisted briskly and lowered ceremoniously.

- (c) Inclement weather

The flag should not be displayed on days when the weather is inclement, except when an all weather flag is displayed.

- (d) Particular days of display

The flag should be displayed on all days, especially on New Year's Day, January 1; Inauguration Day, January 20; Lincoln's Birthday, February 12; Washington's Birthday, third Monday in February; Easter Sunday (variable); Mother's Day, second Sunday in May; Armed Forces Day, third Saturday in May; Memorial Day (half-staff until noon), the last Monday in May; Flag Day, June 14; Independence Day, July 4; Labor Day, first Monday in September; Constitution Day, September 17; Columbus Day, second Monday in October; Navy Day, October 27; Veteran's Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25; and such other days as may be proclaimed by the President of the United States; the birthdays of States (date of admission); and on State holidays.

- (e) Display on or near administration building of public institutions

The flag should be displayed daily on or near the main administration building of every public institution.

- (f) Display in or near polling places

The flag should be displayed in or near every polling place on election days.

- (g) Display in or near schoolhouses

The flag should be displayed during school days in or near every schoolhouse.

§175. Position and manner of display

The flag when carried in a procession with another flag or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.

- (a) The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.
- (b) The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.
- (c) No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy. No person shall display the flag of the United Nations or any other national or international flag equal, above, or

in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof: Provided, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.

- (d) The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.
- (e) The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.
- (f) When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.
- (g) When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.
- (h) When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.
- (i) When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.
- (j) When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.
- (k) When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.
- (l) The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.
- (m) The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff thirty days from the death of the President or a former President; ten days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and the following day for a Member of Congress. As used in this subsection -
 - (1) the term 'half-staff' means the position of the flag when it is one-half the distance between the top and bottom of the staff;
 - (2) the term 'executive or military department' means any agency listed under sections 101 and 102 of title 5; and
 - (3) the term 'Member of Congress' means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.
- (n) When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.
- (o) When the flag is suspended across a corridor or lobby in a building with only one main entrance, it

should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east.

§176. Respect for flag

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

- (a) The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
- (b) The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.
- (c) The flag should never be carried flat or horizontally, but always aloft and free.
- (d) The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.
- (e) The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
- (f) The flag should never be used as a covering for a ceiling.
- (g) The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.
- (h) The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.
- (i) The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.
- (j) No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.
- (k) The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning.

§177. Conduct during hoisting, lowering or passing of flag

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes.

§178. Modification of rules and customs by President

Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation.

§179. Design for service flag; persons entitled to display flag

The Secretary of Defense is authorized and directed to approve a design for a service flag, which flag may be displayed in a window of the place of residence of persons who are members of the immediate family of a person

serving in the armed forces of the United States during any period of war or hostilities in which the Armed Forces of the United States may be engaged.

§180. Design for service lapel button; persons entitled to wear button

The Secretary of Defense is also authorized and directed to approve a design for a service lapel button, which button may be worn by members of the immediate family of a person serving in the armed forces of the United States during any period of war or hostilities in which the Armed Forces of the United States may be engaged.

§181. Approval of designs by Secretary of Defense; license to manufacture and sell; penalties

Upon the approval by the Secretary of Defense of the design for such service flag and service lapel button, he shall cause notice thereof, together with a description of the approved flag and button, to be published in the Federal Register. Thereafter any person may apply to the Secretary of Defense for a license to manufacture and sell the approved service flag, or the approved service lapel button, or both. Any person, firm, or corporation who manufactures any such service flag or service lapel button without having first obtained such a license, or otherwise violates sections 179 to 182 of this title, shall, upon conviction thereof, be fined not more than \$1,000.

§182. Rules and regulations

The Secretary of Defense is authorized to make such rules and regulations as may be necessary to carry out the provisions of sections 179 to 182 of this title.

§182a to 182d. Repealed. Pub. L. 89-534, § 2, Aug. 11, 1966, 80 Stat. 345

§183, 184. Repealed. Pub. L. 85-857, § 14(84), Sept. 2, 1958, 72 Stat. 1272

§185. Transferred

§186. National motto

The national motto of the United States is declared to be 'In God we trust.'

§187. National floral emblem

The flower commonly known as the rose is designated and adopted as the national floral emblem of the United States of America, and the President of the United States is authorized and requested to declare such fact by proclamation.

§188. National march

The composition by John Philip Sousa entitled 'The Stars and Stripes Forever' is hereby designated as the national march of the United States of America.

§189. Recognition of National League of Families POW/MIA flag

The National League of Families POW/MIA flag is hereby recognized officially and designated as the symbol of our Nation's concern and commitment to resolving as fully as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation.

Miscellaneous References

United States Code Title 4 Chapter 1 - The Flag

§1. Flag; stripes and stars on

The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field.

§ 2. Same; additional stars

On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission.

§ 3. Use of flag for advertising purposes; mutilation of flag

Any person who, within the District of Columbia, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors, or ensign upon which shall have been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or who, within the District of Columbia, shall manufacture, sell, expose for sale, or to public view, or give away or have in possession for sale, or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached, or otherwise placed a representation of any such flag, standard, colors, or ensign, to advertise, call attention to, decorate, mark, or distinguish the article or substance on which so placed shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$100 or by imprisonment for not more than thirty days, or both, in the discretion of the court. The words 'flag, standard, colors, or ensign', as used herein, shall include any flag, standard, colors, ensign, or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

United States Code Title 4 Chapter 2 - The Seal

§ 41. Seal of the United States

The seal heretofore used by the United States in Congress assembled is declared to be the seal of the United States.

§ 42. Same; custody and use of

The Secretary of State shall have the custody and charge of such seal. Except as provided by section 2902(a) of title 5, the seal shall not be affixed to any instrument without the special warrant of the President therefor.

**United States Code Title 5 Part III
Chapter 29 - Commissions, Oaths, Records, and Reports
Subchapter I - Commissions, Oaths, and Records**

§ 2902. Commission; where recorded

(a) Except as provided by subsections (b) and (c) of this section, the Secretary of State shall make out and record, and affix the seal of the United States to, the commission of an officer appointed by the President. The seal of the United States may not be affixed to the commission before the commission has been signed by the President.

United States Code Title 5 Part 1
Chapter 1 - Organization

§ 101. Executive departments

The Executive departments are:

The Department of State.
 The Department of the Treasury.
 The Department of Defense.
 The Department of Justice.
 The Department of the Interior.
 The Department of Agriculture.
 The Department of Commerce.
 The Department of Labor.
 The Department of Health and Human Services.
 The Department of Housing and Urban Development.
 The Department of Transportation.
 The Department of Energy.
 The Department of Education.
 The Department of Veterans Affairs.

§ 102. Military departments

The military departments are:

The Department of the Army.
 The Department of the Navy.
 The Department of the Air Force

United States Code Title 18 Part 1.
Crimes and Criminal Procedure
Chapter 33 - Emblems, Insignia, and Names

This Title Was Enacted By Act June 25, 1948, Ch. 645, S. 1, 62 Stat. 683

§ 700. Desecration of the flag of the United States; penalties

- (a)(1) Whoever knowingly mutilates, defaces, physically defiles, burns, maintains on the floor or ground, or tramples upon any flag of the United States shall be fined under this title or imprisoned for not more than one year, or both.
- (2) This subsection does not prohibit any conduct consisting of the disposal of a flag when it has become worn or soiled.
- (b) As used in this section, the term 'flag of the United States' means any flag of the United States, or any part thereof, made of any substance, of any size, in a form that is commonly displayed.
- (c) Nothing in this section shall be construed as indicating an intent on the part of Congress to deprive any State, territory, possession, or the Commonwealth of Puerto Rico of jurisdiction over any offense over which it would have jurisdiction in the absence of this section.
- (d)(1) An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order issued by a United States district court ruling upon the constitutionality of subsection (a).
- (2) The Supreme Court shall, if it has not previously ruled on the question, accept jurisdiction over the appeal and advance on the docket and expedite to the greatest extent possible.

United States Code Title 2
Chapter 9A - Organization

§ 285b. Functions

The functions of the Office shall be as follows:

- (1) To prepare, and submit to the Committee on the Judiciary one title at a time, a complete compilation, restatement, and revision of the general and permanent laws of the United States which conforms to the understood policy, intent, and purpose of the Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, separately stated, with a view to the enactment of each title as positive law.
- (2) To examine periodically all of the public laws enacted by the Congress and submit to the Committee on the Judiciary recommendations for the repeal of obsolete, superfluous, and superseded provisions contained therein.
- (3) To prepare and publish periodically a new edition of the United States Code (including those titles which are not yet enacted into positive law as well as those titles which have been so enacted), with annual cumulative supplements reflecting newly enacted laws.
- (4) To classify newly enacted provisions of law to their proper positions in the Code where the titles involved have not yet been enacted into positive law.
- (5) To prepare and submit periodically such revisions in the titles of the Code which have been enacted into positive law as may be necessary to keep such titles current.
- (6) To prepare and publish periodically new editions of the District of Columbia Code, with annual cumulative supplements reflecting newly enacted laws, through publication of the fifth annual cumulative supplement to the 1973 edition of such Code.
- (7) To provide the Committee on the Judiciary with such advice and assistance as the committee may request in carrying out its functions with respect to the revision and codification of the Federal statutes.

Embassy of the United States of America
Dag Hammarskjölds Väg 31, SE-115 89 Stockholm

Home

[Public Affairs](#) | [US Mission](#) | [Commercial Service](#) | [Agricultural Service](#)
[Consular Information](#) | [Fulbright](#) | [U.S. State Department](#) | [Defense Attache](#)
StockholmWeb@state.gov

Last Updated: Monday January 24 2005

Alaska State Legislature

Session: (Jan-May)
State Capitol, Room 208
Juneau, AK 99801-1182
(907) 465-4859
Fax (907) 465-3799

Interim: (June-Dec)
716 West 4th Avenue, Suite 300
Anchorage, AK 99501-2133
(907) 269-0129
Fax (907) 269-0128

John Harris
Speaker of the House

Memorandum

To: Representative Bob Lynn
Chairman, House State Affairs Committee

From: Representative John Harris
Speaker of the House

Date: Jan.6, 2007

Ref: Scheduling House Bill 21

Please schedule House Bill 21 "An Act relating to the proper disposal of the state flag" as soon as your committee calendar will allow. Currently, the State of Alaska has no provision for the disposal of worn, out or damaged state flags.

If you have any questions or concerns regarding HB 21 please contact my staff, Pete Fellman, at 465- 6578.

Thank you for your consideration in scheduling House Bill 21.