

Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5129 (as reported without amendment)
Sponsor: Representative Paul Wojno
House Committee: Regulatory Affairs
Senate Committee: Government Operations

Date Completed: 5-22-98

RATIONALE

On June 14, 1777, the Second Continental Congress passed a resolution to adopt the pattern of stars and stripes to represent the official flag of the United States. The first national observance honoring the flag occurred in 1877 on the centennial anniversary of the flag's adoption. Although numerous observances to honor the flag occurred in the intervening years, there was no national observance until 1949 when President Harry Truman designated June 14 as Flag Day. Given the U.S. flag's importance as a symbol of the nation's values and ideals, some people believe that the flag should be honored for more than one day a year and that a month should be set aside in Michigan to encourage the display of the flag.

CONTENT

The bill would establish a new act to designate June 14 through July 14 of each year as the official flag month of the State; and prescribe guidelines for the display and handling of the U.S. flag.

The bill provides that handling and displaying the U.S. flag would be encouraged according to the following guidelines:

- The U.S. flag 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 were grouped and displayed from staffs.
- When flags of states, cities, or localities, or pennants of societies were flown on the same halyard with the U.S. flag, the U.S. flag should always be at the peak. When the flags were flown from adjacent staffs, the U.S. flag should be hoisted first and lowered last. No other flag or pennant should be

placed above the U.S. flag or to the flag's right.

- When flags of two or more nations were displayed, they should be flown from separate staffs of the same height. The flags should be of approximately equal size. A flag of one nation should not be placed above the flag of another nation in time of peace.
- When the U.S. flag was 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. The flag should be hoisted out, union first, from the building.
- When the U.S. flag was displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right and should be to the observer's left. When displayed in a window, the U.S. flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.
- When the flag was displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street and to the east in a north and south street.
- 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 U.S. flag should be at the clergyman's or speaker's right as he or she faced the audience. Any other flag displayed should be placed on the left of the clergyman or speaker or to the right of the audience.

- The U.S. flag should form a distinctive feature of the ceremony of unveiling a public statue or monument, but the flag should not be used as the covering for the public statue or monument.
- The U.S. 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 raised to the peak before it was lowered for the day.

BACKGROUND

The Second Continental Congress resolved on June 14, 1777, "That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation." The adoption of the stars and stripes pattern for the national flag came almost one year after the Declaration of Independence had been signed and more than a decade before the U.S. constitution was finalized. The Stars and Stripes first flew in a flag day celebration in Hartford, Connecticut in 1861, the first summer of the Civil War. The first national observance of flag day came on June 14, 1877, the centennial of the original flag resolution, when Congress ordered the flag to be flown over public buildings on that day. This was a one-time observance, however, that was not repeated until the 20th century. One history of Flag Day notes that the idea for a regular observance originated at the grassroots level when a George Bolch, a New York City kindergarten principal, held patriotic ceremonies at his school on June 14, 1889. The New York legislature subsequently passed a law requesting similar observances to be held in schools throughout the state. Others also encouraged efforts to honor the flag, such as Pennsylvanian William T. Kerr, who called for observances to be held in the state and local communities. In addition, Bernard J. Cigrand, a Wisconsin teacher, is recorded as having celebrated a flag birthday with his pupils at the end of school in 1885. Cigrand subsequently founded the American Flag Day Association in 1894 and called for the observance to take place on the flag's birth date instead of moving it to the third Sunday in June. The campaign continued with Pennsylvanian Joseph H. Hart who established in 1907 the Allentown Flag Day Association. There also were efforts at the national level by the Fraternal Order of Elks and the American Legion which encouraged flag day activities in communities across the country. In 1916, President Woodrow Wilson issued a national proclamation for a flag day that year, and President

Calvin Coolidge issued a similar proclamation 11 years later. The establishment of a national day to honor the flag, however, did not occur until 1949 when President Harry Truman officially designated June 14 as Flag Day.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

According to the bill's sponsor, the idea for a Flag Month developed at the grassroots level when a Warren resident, Nicholas Marty, began advocating for a month-long observance to honor the flag. On June 9, 1997, the Warren City Council unanimously passed a resolution to become the first city in the country to proclaim Flag Month. The Macomb County Board of Commissioners subsequently passed a similar resolution to make that county the first in the country to proclaim Flag Month. The designation of flag month in the State would demonstrate the pride that residents have in the U.S. flag and encourage them to fly the flag during that time.

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: E. Limbs

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.