

A-Engrossed
House Bill 2892

Ordered by the House March 27
Including House Amendments dated March 27

Sponsored by Representatives ESQUIVEL, EVANS, WHISNANT, WITT; Representatives BARRETO, BOONE, HACK, HUFFMAN, KENNEMER, KRIEGER, LIVELY, NEARMAN, OLSON, PARRISH, PILUSO, POST, STARK, WILSON

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires that National League of Families' POW/MIA flag be displayed with Oregon State flag on public buildings in this state. **Excepts existing public buildings that lack capacity to simultaneously display three flags.**

A BILL FOR AN ACT

1
2 Relating to displaying the National League of Families' POW/MIA flag on public buildings; amending
3 ORS 186.110.

4 Whereas the National League of Families' POW/MIA flag originated in 1970, when Mary Hoff,
5 member of the National League of American Prisoners and Missing in Southeast Asia and wife of
6 a service member missing in action in the Vietnam War, recognized the need for a symbol of citizen
7 concern about United States military personnel taken as prisoners of war or listed as missing in
8 action; and

9 Whereas the POW/MIA flag was designed by Newton Heisley, a former World War II pilot, who
10 worked for Annin Flagmakers; and

11 Whereas the image on the POW/MIA flag was never copyrighted and is now part of the public
12 domain; and

13 Whereas in 1982, the POW/MIA flag became the only flag other than the United States flag to
14 fly over the White House in Washington, D.C., and in 1989 became the only flag ever displayed in
15 the rotunda of the United States Capitol; and

16 Whereas on August 10, 1990, Congress passed Public Law 101-355, recognizing the POW/MIA
17 flag and designating it as "the symbol of our Nation's concern and commitment to resolving as fully
18 as possible the fates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus
19 ending the uncertainty for their families and the Nation"; and

20 Whereas though the POW/MIA flag originated during the Vietnam War, the flag has come to
21 be a symbol for service members taken as prisoners of war or listed as missing in action from all
22 United States wars; and

23 Whereas the State of Oregon is committed to recognizing and remembering all United States
24 military personnel taken prisoner, missing or unaccounted for, and honoring the strength and sac-
25 rifice of their families and loved ones; now, therefore,

26 **Be It Enacted by the People of the State of Oregon:**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **SECTION 1.** ORS 186.110 is amended to read:

2 186.110. (1) The person or body having custody of each public building shall procure an Oregon
3 State flag of suitable size **and a National League of Families' POW/MIA flag of suitable size**
4 and shall cause the Oregon State flag **and the POW/MIA flag** to be displayed with the United
5 States flag upon or near [*such*] **the** public building during the hours when the United States flag is
6 customarily displayed, except in unsuitable weather, and at such other times as seems proper.

7 **(2) Notwithstanding subsection (1) of this section, this section requires the procurement**
8 **and display of a National League of Families' POW/MIA flag only with respect to a public**
9 **building that has existing flagpoles or other infrastructure installed to properly display all**
10 **three flags described in this section simultaneously, except that any public building that is**
11 **newly constructed on or after the effective date of this 2015 Act shall include sufficient**
12 **infrastructure to properly display all three flags simultaneously.**

13 [(2)] **(3)** As used in this section, "public building" means:

14 (a) State institutions.

15 (b) All other state buildings upon which the Oregon Department of Administrative Services de-
16 termines it is suitable to display the Oregon State flag[.] **and the National League of Families'**
17 **POW/MIA flag.**

18 (c) County courthouses.

19