

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:3-9

(POW--
MIA flag--display
on public
buildings)

LAWS OF: 1988

CHAPTER: 16

Bill No: S234

Sponsor(s): O'Connor

Date Introduced: Pre-filed

Committee: Assembly: Veterans Affairs and Defense

Senate: State Government

Amended during passage: Yes Amendments during passage
denoted by asterisks

Date of Passage: Assembly: March 7, 1988

Senate: February 2, 1988

Date of Approval: April 25, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

(Over)

See Newspaper clippings--attached:

"POW/MIA flag ok'd, forgotton," 5-6-88 Trenton Times

"Puzzlement is the rule with POW-MIA flag law," 7-3-88 Philadelphia Inquirer

[FIRST REPRINT]
SENATE, No. 234

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Senator O'CONNOR

1 AN ACT directing that the P.O.W.-M.I.A. flag be displayed at
2 1certain¹ public buildings in this State.

3

4 BE IT ENACTED *by the Senate and General Assembly of the*
5 *State of New Jersey:*

6 1. The Legislature finds and declares that:

7 a. Over 2,400 Americans, including 64 from the State of New
8 Jersey, who served in the United States armed forces during the
9 war in Indochina are still listed as prisoners of war or missing in
10 action.

11 b. There is significant evidence that many of these missing
12 American servicemen are still alive and being held against their
13 will in Indochina.

14 c. This nation is deeply indebted to its servicemen 1of all
15 wars and conflicts¹ for their courage and sacrifice and should
16 demonstrate its special commitment to the missing men 1of all
17 wars and conflicts¹ and their families by obtaining the release
18 of those still held prisoner and the fullest possible accounting
19 from the ¹[Indochinese] responsible¹ governments of Americans
20 listed as missing ¹[in Southeast Asia]¹.

21 d. The P.O.W.-M.I.A. flag is an appropriate symbol of the
22 plight of these missing Americans which serves to remind the
23 public of the commitment this nation must have to determining
24 the fate of its servicemen.

25 e. It is appropriate, therefore, that the P.O.W.-M.I.A. flag
26 should be displayed at public buildings throughout this State in
27 order to increase public awareness of the P.O.W.-M.I.A. issue
28 and to gain public support for the efforts of the United States
29 government to resolve this matter.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹ Assembly AVA committee amendments adopted February 22, 1988.

1 2. The P.O.W.-M.I.A. flag, which depicts a prisoner's profile
2 against the background of a P.O.W. camp watchtower, shall be
3 displayed at ¹[every]¹ public ¹[building] buildings¹ in the State
4 of New Jersey during normal business hours.

5 As used in this section, "public ¹[building] buildings¹" means
6 ¹[any] the principal municipal¹ building ¹[or a portion thereof
7 owned or leased by the State or by a] in each municipality, the
8 principal county building in each¹ county ¹[, municipality or
9 school district] seat and the State House in Trenton¹.

10 3. This act shall take effect immediately.

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VETERANS

Public Notice, Meetings, Participation

13

14 Provides that P.O.W.- M.I.A. flag be displayed at certain public
15 buildings.
16
17

1 As used in this section, "public building" means any building
or a portion thereof owned or leased by the State or by a county,
3 municipality or school district.

3. This act shall take effect immediately.

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STATEMENT

9 This bill provides that the P.O.W.-M.I.A. flag, which depicts a
prisoner's profile against the background of a P.O.W. camp
11 watchtower, shall be displayed at all public buildings as a
reminder to the public of the plight of American servicemen
13 still missing in Southeast Asia.

15

VETERANS

17

Public Notice, Meetings, Participation

19 Provides that P.O.W.-M.I.A. flag be displayed at public buildings.

ASSEMBLY VETERANS' AFFAIRS AND DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 234

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 1988

The Assembly Veterans Affairs' and Defense Committee reports favorably and with committee amendments Senate, No. 234.

This bill provides that the P.O.W. - M.I.A. flag, which depicts a prisoner's profile against the background of a P.O.W. camp watchtower, shall be displayed at public buildings in the State during normal business hours as a reminder to the public of the plight of American servicemen still missing. As used in this bill, "public buildings" means the principal municipal building in each municipality, the principal county building in each county seat and the State House in Trenton.

According to the sponsor, over 2,400 Americans, including 64 from New Jersey, who served in Southeast Asia are still listed as prisoners of war or missing in action. There is significant evidence that these servicemen are being held against their will. Displaying the P.O.W. - M.I.A. flag will increase awareness of this issue and gain public support for the release of prisoners of war and those missing in action in the Vietnam conflict and all other wars and conflicts.

COMMITTEE AMENDMENTS

The committee amended the bill to: 1) make it clear that the Legislature believes that the nation should demonstrate its special commitment to the missing men of all wars and conflicts and their families by obtaining the release of those still held prisoner and the fullest possible accounting from the responsible governments of Americans listed as missing; 2) define public buildings as the principal municipal building in each municipality, the principal county building in each county seat and the State House in Trenton; and 3) make this bill identical in all other respects to Assembly, No. 1054.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 234

STATE OF NEW JERSEY

DATED: January 21, 1988

The Senate State Government Committee reports favorably Senate Bill No. 234.

This bill provides that the P.O.W. - M.I.A. flag, which depicts a prisoner's profile against the background of a P.O.W. camp watchtower, shall be displayed at all public buildings as a reminder to the public of the plight of American servicemen still missing in Southeast Asia. A public building is defined as any building, or a portion thereof, owned or leased by the State or by a county, municipality or school district.

According to the sponsor, over 2,400 Americans, including 64 from New Jersey, who served in Southeast Asia are still listed as prisoners of war or missing in action. There is significant evidence that these servicemen are being held against their will. Displaying the P.O.W. - M.I.A. flag will increase awareness of this issue and gain public support for their release.

This bill was pre-filed for introduction in the 1988 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.