

MAR 10 2010

SENATE CONCURRENT RESOLUTION

EXPRESSING LEGISLATIVE SUPPORT FOR THE RIGHT TO DISPLAY THE
UNITED STATES FLAG.

1 WHEREAS, President Truman signed an Act on August 3, 1949
2 to declare June 14th of each year as National Flag Day as a day
3 of remembrance and to pay tribute to the U.S. flag; and
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5 WHEREAS, the U.S. Flag is recognized as a universal symbol
6 that should be the center of display in a procession, ceremony
7 and in permitted public places to represent the history of our
8 country; and
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10 WHEREAS, Public Law 94-344, the Federal Flag Code, makes it
11 clear that the U.S. flag is a "living symbol" representing a
12 living country and is itself a living thing which expresses
13 freedom, independence, and patriotism; and
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15 WHEREAS, Public Law 94-344 contains rules for handling and
16 displaying the United States flag; however, imposing no penalty
17 for non-compliance, Public Law 94-344 should be followed by
18 every American citizen on a voluntary basis; and
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20 WHEREAS, the family of a U.S. veteran is entitled to an
21 American flag for burial as a symbol of honor and bravery for
22 services that their loved one provided in securing the blessings
23 of liberty; and
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25 WHEREAS, every American should be able to rightfully
26 display the U.S. flag without any apprehension, if applicable
27 guidelines are followed; and
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29 WHEREAS, in public schools, students recite the Pledge of
30 Allegiance, making an oath by saying the following words in
31 relation to the U.S. flag: "I pledge allegiance to the flag of
32 the United States of America and to the Republic for which it
33 stands"; and



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WHEREAS, some planned community associations such as Ewa by Gentry Community Association, Villages of Kapolei Community Association, Ocean Pointe Community Association, Mililani Town Association, and Waikele Community Association allow the U.S. flag to be flown and flag poles to be installed within certain restrictions imposed by a design review committee upon installation approval; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, the House of Representatives concurring, that the Hawaii State Legislature supports the right of every resident of Hawaii to publicly display or fly the American flag, subject to reasonable association rules for homeowners governing the height and location of flag poles when displaying or flying the flag; and

BE IT FURTHER RESOLVED that the Department of Commerce and Consumer Affairs is urged to work with county permitting agencies, developers, planned community associations, and the Community Association Institute to guarantee that the right to display the U.S. flag is upheld; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Governor, Director of Commerce and Consumer Affairs, all county permitting agencies, and all planned community associations in the State of Hawaii.

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