Legislation Details (With Text)

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Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Cultural Affairs, Libraries and International Intergroup Relations
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Title: A Local Law to amend the administrative code of the city of New York, in relation to the displaying of the POW/MIA flag

Sponsors: James S. Oddo, Andrew J. Lanza, Dennis P. Gallagher, Madeline T. Provenzano, Leroy G. Comrie, Jr., Gifford Miller, Bill De Blasio, Joel Rivera, James Sanders, Jr., Michael C. Nelson, Helen Sears, Michael E. McMahon, Maria Baez, Allan W. Jennings, Jr., Miguel Martinez, Albert Vann, Christine C. Quinn, Joseph P. Addabbo, Jr., James F. Gennaro, Tony Avella, Kendall Stewart, Peter F. Vallone, Jr., Eric N. Gioia, David Yassky, Erik Martin Dilan, John C. Liu, Hiram Monserrate, Melinda R. Katz, James E. Davis, Robert Jackson, Diana Reyna, David I. Weprin, Lewis A. Fidler, Jose M. Serrano, Eva S. Moskowitz, Sara M. Gonzalez, Pedro Espada, Jr., Vincent J. Gentile, Gale A. Brewer, Betsy Gotbaum, Simcha Felder, Yvette D. Clarke, Domenic M. Recchia, Jr., Alan J. Gerson

Indexes:

Attachments: 1. Hearing Transcript 9/20/02, 2. Committee Report 4/28/03, 3. Hearing Transcript 4/28/03, 4. Fiscal Impact Statement, 5. Hearing Transcript - Stated Meeting 5/14, 6. Local Law

Date	Ver.	Action By	Action	Result
2/27/2002	*	City Council	Introduced by Council	
2/27/2002	*	City Council	Referred to Comm by Council	
9/20/2002	*	Committee on Cultural Affairs, Libraries and International Intergroup Relations	Laid Over by Committee	
9/20/2002	*	Committee on Cultural Affairs, Libraries and International Intergroup Relations	Hearing Held by Committee	
4/28/2003	*	Committee on Cultural Affairs, Libraries and International Intergroup Relations	Hearing Held by Committee	
4/28/2003	*	Committee on Cultural Affairs, Libraries and International Intergroup Relations	Amendment Proposed by Comm	
4/28/2003	A	Committee on Cultural Affairs, Libraries and International Intergroup Relations	Approved by Committee	Pass
4/28/2003	*	Committee on Cultural Affairs, Libraries and International Intergroup Relations	Amended by Committee	
4/30/2003	A	City Council	Laid Over by Council	
5/5/2003	A	City Council	Laid Over by Council	
5/14/2003	A	City Council	Approved by Council	Pass
5/14/2003	A	City Council	Sent to Mayor by Council	

5/23/2003	A	Mayor	Hearing Held by Mayor
5/23/2003	A	Mayor	Signed Into Law by Mayor
5/28/2003	A	City Council	Recved from Mayor by Council

Proposed Int. No. 52-A

By Council Members Oddo, Lanza, Gallagher, Provenzano, Comrie, The Speaker (Council Member Miller), DeBlasio, Rivera, Sanders Jr., Nelson, Sears, McMahon, Baez, Jennings, Martinez, Vann, Quinn, Addabbo Jr., Gennaro, Avella, Stewart, Vallone Jr., Gioia, Yassky, Dilan, Liu, Monserrate, Katz, Davis, Jackson, Reyna, Weprin, Fidler, Serrano, Moskowitz, Gonzalez, Espada Jr., Gentile, Brewer and The Public Advocate (Ms. Gotbaum); also Council Members Felder, Clarke, Recchia and Gerson

A Local Law to amend the administrative code of the city of New York, in relation to the displaying of the POW/MIA flag

Be it enacted by the Council as follows:

Section 1. Legislative intent. The Prisoner of War/Missing in Action (POW/MIA) flag was designed to honor and express the United States' gratitude to those members of the United States Armed Forces who have been or remain prisoners of war, and those who remain missing in action. The POW/MIA flag is a powerful symbol of our nation's concern and commitment to determining, as fully as possible, the fates of American military personnel still imprisoned or missing overseas.

It is the Council's intent to require the POW/MIA flag to be flown over every piece of property under the jurisdiction of the department of parks and recreation, whenever the American flag is flown over such property. Furthermore, although it is the Council's desire to require the department of parks and recreation to fully implement this program immediately, given New York City's current fiscal constraints, this program will be implemented over a three-year period.

§2. Title 18 of the administrative code of the city of New York is hereby amended by adding a new section 18-132 to read as follows:

§18-132 Displaying a POW/MIA flag over public property. 1. Until such time as all members of the United States Armed Forces listed either as missing in action or prisoners of war are accounted for by the United States government, the commissioner shall assure, subject to subdivisions 2 and 3 of this section, that the Prisoner of War/Missing in Action (POW/MIA) flag is flown over all public property under the jurisdiction

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of the commissioner whenever the American flag is flown over such property.

2. Within sixty days following the effective date of the local law that added this section, the POW/MIA flag shall be flown in twenty-five percent of all parks under the jurisdiction of the commissioner, including all parks under the jurisdiction of the commissioner that bear the name of a veteran of the United States Armed Forces or that include the word "Memorial" in the park name, whenever the American flag is flown over such property.

3. Within three years following the effective date of the local law that added this section, the POW/MIA flag shall be flown over all public property under the jurisdiction of the commissioner whenever the American flag is flown over such property.

4. The commissioner shall submit to the Mayor and the Speaker of the City Council an annual report indicating all public property under the jurisdiction of the commissioner over which the POW/MIA flag is flown. Such reporting requirement shall terminate upon full compliance with the requirements set forth in subdivision 3 of this section, at which time the commissioner shall submit a final report to the Mayor and to the Speaker of the City Council indicating all public property under the jurisdiction of the commissioner over which the POW/MIA flag is flown.

§3. This local law shall take effect immediately.

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