

No. 111. An act relating to flags and flag-flying protocol.

(H.551)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. LEGISLATIVE FINDINGS

On January 15, 1777, delegates from 28 towns that supported the military and political leadership of Ethan Allen and the Green Mountain Boys convened in the town of Westminster and declared the independence of the territory, known as the New Hampshire Grants, from the British colony of Quebec and the American states of New Hampshire and New York, adopting the name New Connecticut (Vermont). The flying of the Green Mountain Boys Flag at the State House in Montpelier, on the 15th day of January each year, would commemorate this important event in the history of Vermont.

Sec. 2. 1 V.S.A. § 496 is amended to read:

§ 496. STATE FLAGS, PURCHASE, DISTRIBUTION

(a) The Secretary of State shall obtain, through the Department of Buildings and General Services, ~~obtain State Flags and a copy of the Bennington Battle Flag, so called. He or she~~ The Secretary may, ~~in his or her discretion and on such terms as that~~ in his or her discretion he or she finds appropriate, distribute ~~said~~ these State Flags to other states; to State officials, departments, and agencies; and to ~~such~~ other persons as ~~he or she~~ the Secretary may determine should have receive them ~~in the interest of the State. He or she shall cause the Bennington Battle Flag to be delivered to the custody of the Sergeant at Arms,~~

~~to be flown at the State House in Montpelier, under the United States Flag, on the 15th, 16th, and 17th days of August in each year to commemorate the Battle of Bennington.~~

~~(b) The Secretary of State shall furnish to the Division for Historic Preservation, under this section, one Vermont State Flag and one Bennington Battle Flag to be flown at the Bennington Battle Monument Area.~~

Sec. 3. 1 V.S.A. § 496a is added to read:

§ 496a. BENNINGTON BATTLE FLAG

The Secretary of State shall obtain, through the Department of Buildings and General Services, two copies of the Bennington Battle Flag, one for delivery to the Sergeant at Arms to be flown at the State House in Montpelier, under the U.S. Flag, on the 15th, 16th, and 17th days of August each year to commemorate the Battle of Bennington, and a second for delivery to the Vermont Division for Historic Preservation, along with one Vermont State Flag, to be flown at the Bennington Battle Monument Area.

Sec. 4. 1 V.S.A. § 496b is added to read:

§ 496b. GREEN MOUNTAIN BOYS FLAG

The Secretary of State shall obtain, through the Department of Buildings and General Services, a copy of the Green Mountain Boys Flag for delivery to the Sergeant at Arms to be flown at the State House in Montpelier, under the U.S. Flag, on the 15th day of January each year to commemorate Vermont's independence.

Sec. 5. 1 V.S.A. § 496c is added to read:

§ 496c. POW-MIA FLAG; FLYING ON STATE FLAGPOLES

The State of Vermont shall fly on State-owned flagpoles, where practicable, the National League of Families Prisoner of War and Missing in Action Flag, as designated in 36 U.S.C. § 189, provided the flag is donated.

Sec. 6. 1 V.S.A. § 496d is added to read:

§ 496d. FLAG PROTOCOL

The Department of Buildings and General Services shall adopt and update as necessary a protocol for the flying of any flag on a State-owned flagpole and on municipally owned flagpoles if statutorily directed. The protocol shall incorporate any existing flag-flying policies or protocols that the Department has previously adopted.

Sec. 7. REPEAL

29 V.S.A. § 7 (POW-MIA flag) is repealed.

Sec. 8 . EFFECTIVE DATE

This act shall take effect on July 1, 2018.

Date Governor signed bill: May 1, 2018