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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 395 Session of  
2019

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INTRODUCED BY BROOKS, SCARNATI, GORDNER, BROWNE, AUMENT,  
BARTOLOTTA, KILLION, K. WARD, WHITE, COSTA, BREWSTER AND  
STREET, MARCH 5, 2019

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REFERRED TO STATE GOVERNMENT, MARCH 5, 2019

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AN ACT

1 Amending the act of March 4, 1970 (P.L.128, No.49), entitled "An  
2 act granting to the Governor of the Commonwealth the sole  
3 authority for regulating the display of the flag of the  
4 United States from any public ground or building and from any  
5 ground or building of certain other institutions," further  
6 providing for display of flag.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. Section 1(c) of the act of March 4, 1970  
10 (P.L.128, No.49), entitled "An act granting to the Governor of  
11 the Commonwealth the sole authority for regulating the display  
12 of the flag of the United States from any public ground or  
13 building and from any ground or building of certain other  
14 institutions," is amended to read:

15 Section 1. \* \* \*

16 (c) In addition to any other powers or duties imposed by  
17 this section, the Governor shall require the Department of  
18 General Services to display continuously from a flag pole the  
19 official POW/MIA flag until all POW's and MIA's return or are

1 accounted for in "Soldiers' Grove," as defined in the act of  
2 October 30, 1987 (P.L.375, No.75), entitled "An act providing  
3 for the designation of certain trees and land on the grounds of  
4 the State Capitol in Harrisburg as 'Soldiers' Grove' in honor of  
5 war veterans; imposing duties upon the Department of General  
6 Services; and making an appropriation," [the official POW/MIA  
7 flag until all POW's and MIA's return or are accounted for.]  
8 and at all roadside rests and welcome centers operated by the  
9 Department of Transportation and Pennsylvania Turnpike rest  
10 stops within the meaning of the act of June 7, 1961 (P.L.257,  
11 No.151), entitled "An act providing for the construction,  
12 erection and maintenance of roadside rests adjacent to State  
13 highway routes; providing for the acquisition of interests in  
14 land by gift, purchase or condemnation; granting powers to and  
15 imposing duties upon the Department of Transportation, the  
16 Secretary of Transportation, the Governor and the Department of  
17 General Services; authorizing rules and regulations and  
18 providing penalties for violations thereof, and making an  
19 appropriation," and the regulations promulgated under that act.  
20 If a roadside rest or welcome center operated by the Department  
21 of Transportation or Pennsylvania Turnpike rest stop has an  
22 existing flag pole, the POW/MIA flag may be flown from such flag  
23 pole. When the POW/MIA flag is to be displayed with a flag flown  
24 at half mast, the POW/MIA flag may be removed.

25 \* \* \*

26 Section 2. This act shall take effect in 60 days.