

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** Senate Bill 395

**PRINTER NO.** 1824

**AMOUNT**

\$9,300

**FUND**

Motor License Fund  
Pennsylvania Turnpike Commission  
Funds

**DATE INTRODUCED**

March 5, 2019

**PRIME SPONSOR**

Senator Brooks

**DESCRIPTION**

Senate Bill 395 amends the act of March 4, 1970 (P.L.128, No.49), entitled "An act granting to the Governor of the Commonwealth the sole authority for regulating the display of the flag of the United States from any public ground or building and from any ground or building of certain other institutions," further providing for the display of the POW/MIA flag.

Section 1 (c) is amended to require the continuous display of the official POW/MIA flag, from a flagpole, at all roadside rest and Welcome Centers operated by the Pennsylvania Department of Transportation (department) and at all Pennsylvania Turnpike (PTC) service plazas.

Current law only requires the continuous display of the official POW/MIA flag in "Soldiers' Grove" on the grounds of the State Capitol in Harrisburg.

The bill provides that the following shall apply:

- 1) The display of the official POW/MIA flag shall take place within 30 days of the effective date of the act if it can be accommodated on an existing flagpole. If it cannot be accommodated on an existing flagpole, the department and the PTC shall submit, within 30 days of the effective date of the act, a plan to display the official POW/MIA flag by December 31, 2021, to all of the following:
  - I. The chairpersons and minority chairpersons of the State Government Committees of the Senate and the House of Representatives; and
  - II. The chairpersons and minority chairpersons of the Transportation Committees of the Senate and the House of Representatives.
- 2) The department and the PTC shall report compliance with the requirements under subsection (c) outlined above on or before December 31, 2021, to all of the following:
  - I. The chairpersons and minority chairpersons of the State Government Committees of the Senate and the House of Representatives; and
  - II. The chairpersons and minority chairpersons of the Transportation Committees of the Senate and the House of Representatives.

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Additionally, the act is amended to provide that the Governor shall permit the display of the official Honor and Remember flag from the flagpoles of any public building or ground in this Commonwealth.

According to the department, it maintains 35 roadside rest areas and 12 Welcome Centers throughout the Commonwealth. The Pennsylvania Turnpike Commission (PTC) advises that they maintain 15 service plazas on the Turnpike.

The legislation provides that if the roadside rest or welcome center has an existing flagpole, the POW/MIA flag may be flown from such flagpole. Additionally, when the POW/MIA flag is to be displayed with a flag flown at half mast, the POW/MIA flag may be removed.

This act shall take effect immediately.

### **FISCAL IMPACT:**

According to the department and the PTC, there are a total of 62 locations under their jurisdiction that would require the POW/MIA flag to be flown. Both agencies estimate an average cost for a POW/MIA flag to be \$50 per flag and believe each flag would be required to be replaced three times annually due to fading and other disrepair caused by the elements. Based upon this information, the enactment of this legislation will result in full-year annual costs of \$9,300.

Additionally, there may be other minor costs to accommodate the installation of an additional flag on an existing flagpole which can be accomplished within the agency's existing operating budget.

If the POW/MIA flag cannot be accommodated on an existing flagpole, the department and PTC will incur an additional cost of \$7,000 to \$10,000 for installation of a flagpole.