

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 382**

September 2, 2005 – Offered by Representative MUSSER.

- 1 **AN ACT** *to create* 84.04 (4) of the statutes; **relating to:** the display of POW/MIA
2 flags at certain Department of Transportation rest areas.

Analysis by the Legislative Reference Bureau

Under current law, the Department of Transportation (DOT) may construct and maintain rest areas along state trunk highways, including interstate highways. This substitute amendment requires DOT to display a POW/MIA flag on an outdoor flagpole at each DOT rest area along an interstate highway if the rest area has at least two outdoor flagpoles. If a rest area has fewer than two outdoor flagpoles, DOT may display a POW/MIA flag at a suitable location indoors or, if DOT determines after consultation with at least two of the state's veterans organizations that there is no suitable location indoors, DOT may display indoors a poster or literature or both relating to the POW/MIA flag. DOT must display these flags or posters or literature only if DOT receives sufficient contributions from interested parties to cover the costs of displaying the flags or posters or literature. If a rest area has fewer than two outdoor flagpoles, DOT must include additional flagpoles in any facilities improvement project at the rest area commenced after the effective date of the substitute amendment so that the rest area has at least two outdoor flagpoles.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 84.04 (4) of the statutes is created to read:

2 84.04 (4) (a) At each rest area constructed and maintained by the department
3 along an interstate highway designated under s. 84.29 (2), the department shall,
4 subject to pars. (b) and (c), permanently display a POW/MIA flag on an outdoor
5 flagpole.

6 (b) If a rest area described in par. (a) has fewer than 2 outdoor flagpoles, the
7 department may display a POW/MIA flag at a suitable location indoors or, if the
8 department determines after consultation with at least 2 of the state's veterans
9 organizations that no suitable location indoors exists for the display of a POW/MIA
10 flag, the department may display a poster or literature or both relating to the
11 POW/MIA flag at a suitable location indoors in lieu of displaying the flag.

12 (c) Upon receipt of sufficient contributions, including in-kind contributions,
13 from interested parties, including any county, city, village, or town, to cover the costs
14 of displaying POW/MIA flags or posters or literature as specified in pars. (a) and (b),
15 the department shall display the flags or posters or literature. No state funds, other
16 than from the receipt of contributions under this paragraph, may be expended for the
17 display of the flags or posters or literature.

18 (d) If a rest area described in par. (a) has fewer than 2 outdoor flagpoles, any
19 facilities improvement project at the rest area commenced after the effective date of

