

HOUSE BILL NO. 214

INTRODUCED BY WAGONER, ANKNEY, GREEF, LEWIS, REDFIELD

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING RECOMMENDING THAT THE POW/MIA FLAG TO BE DISPLAYED WITH THE FLAG OF THE UNITED STATES OF AMERICA AT SPECIFIED LOCATIONS TO SYMBOLIZE MONTANA'S CONCERN AND COMMITMENT TO ACHIEVING THE FULLEST POSSIBLE ACCOUNTING OF U.S. MILITARY PERSONNEL WHO ARE OR MAY IN THE FUTURE BECOME PRISONERS OF WAR, MISSING IN ACTION, OR OTHERWISE UNACCOUNTED FOR AS A RESULT OF HOSTILE ACTION; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Display of POW/MIA flag.** (1) The POW/MIA flag ~~must~~ MAY be displayed on or in front of the locations specified in subsection (2) on any day when the flag of the United States of America is displayed. The display of the POW/MIA flag is to symbolize Montana's concern and commitment to achieving the fullest possible accounting of United States military personnel who, having been prisoners of war or missing in action, still remain unaccounted for or who in the future may become prisoners of war, missing in action, or otherwise unaccounted for as a result of hostile action.

(2) The POW/MIA flag ~~must~~ MAY be displayed pursuant to subsection (1) at the following locations:

(a) the state capitol;

(b) any building that serves as the location of a state district court;

(c) any building that serves as the location of a city or town hall for an incorporated city or town; and

(d) any building that serves as the main administrative building of a county.

(3) ~~The~~ IF THE POW/MIA flag IS DISPLAYED, IT may be no larger than the national flag and must be displayed as follows:

(a) if the national and the POW/MIA flags are flown on the same flag pole, the POW/MIA flag must be directly below the national flag;

(b) if the national and state flags are flown on the same flag pole, the POW/MIA flag must be directly below the national flag;

(c) if the national and state flags are flown on two different flag poles, the POW/MIA flag must be on the

1 pole with and directly below the national flag;

2 (d) if the national and POW/MIA flags are flown on separate flag poles, the POW/MIA flag must occupy
3 the pole to the left of the national flag;

4 (e) if the national, state, and POW/MIA flags are to be flown on three separate flag poles, the national
5 flag must occupy the right pole, the POW/MIA flag must occupy the middle pole, and the state flag must occupy
6 the far left pole.

7 (4) As used in this section, "POW/MIA flag" means the flag designated in 36 U.S.C 902 as the symbol
8 of concern about United States military personnel taken as prisoners of war or listed as missing in action.

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10 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
11 integral part of Title 1, chapter 1, part 5, and the provisions of Title 1, chapter 1, part 5, apply to [section 1].

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13 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE MAY 27, 2013.

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