

# STATE OF KANSAS

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**GOVERNOR LAURA KELLY**

## **EXECUTIVE ORDER 20-30**

Displaying the flag at half-staff

**WHEREAS**, Article 1 of the Kansas Constitution vests the executive power of the State of Kansas in the Governor;

**WHEREAS**, under Section 4 of Article VIII of the Kansas Constitution, the Governor is the commander-in-chief of Kansas' armed forces;

**WHEREAS**, under Section 7 of Chapter 1 of Title 4 of the United States Code, 4 U.S.C. § 7, by order of the President, the flag of the United States ("the flag") shall be displayed at half-staff upon the death of principal figures of the United States and the governor of a state, territory or possession of the United States;

**WHEREAS**, in the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with the law;

**WHEREAS**, in the event of the death of a present or former official of the government of any state, territory, or possession of the United States, the governor of that state, territory, or possession may proclaim that the flag of the United States shall be displayed at half-staff;

**WHEREAS**, it is appropriate that the flag of the United States be displayed at half-staff on state buildings, grounds, and facilities as directed by the President or the Governor;

**WHEREAS**, it is particularly appropriate that the flag of the United States be displayed at half-staff throughout the State of Kansas as a mark of respect for the memory and in honor of the service of members of our Armed Forces killed in the line of duty and for first responders killed in the line of duty; and

**WHEREAS**, it is desirable to provide direction for the uniform observance of this mark of respect to state departments and agencies and guidance to the people of the State of Kansas generally on such occasions.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order and direct:

### 1. DISPLAYING THE FLAG AT HALF-STAFF

- a. The flag of the United States shall be displayed at half-staff at state buildings, grounds, and facilities, as provided in this Order and as otherwise directed by the Governor.

- b. All requests to display the flag at half-staff at state buildings, grounds, and facilities and any questions from state departments or agencies relating to displaying the flag at half-staff shall be directed to legal counsel to the Governor.
- c. The Department of Administration shall assist the Office of the Governor with implementing this Order, communicating directions regarding displaying flags at half-staff, and assuring compliance by state departments and agencies.
- d. When this Order provides for the flag to be displayed at half-staff on a statewide basis, Kansas residents, businesses, schools, local governments, and other organizations also are urged to display the flag at half-staff.
- e. As provided by federal law, when displayed at half-staff, the flag of the United States should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day, the flag should be displayed at half-staff until noon only, then raised to the top of the staff.
- f. As provided by federal law, no other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States. When flags of states, cities, or localities or pennants of societies are displayed on the same halyard with the flag of the United States, the flag of the United States should always be at peak. When flags are displayed from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No flag of a state, city, locality, or pennant of a society may be placed above the flag of the United States or to the United States flag's right. When flags of two or more nations are displayed, they are to be displayed from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace. International usage also provides that the flag of another nation should never be displayed at half-staff unless authorized by that nation.
- g. As used in this Order, the term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff.

## 2. ANNUAL DAYS TO DISPLAY FLAG AT HALF-STAFF

- a. Consistent with federal law, the flag of the United States shall be displayed at half-staff throughout the State of Kansas on the following days each year:
  - i. Peace Officers Memorial Day, May 15 (36 U.S.C. §§ 136-137; Executive Order 2006-7).
  - ii. Memorial Day, the last Monday in May, until noon only (4 U.S.C. § 7).
  - iii. Patriot Day, September 11 (36 U.S.C. § 144).

- iv. Pearl Harbor Remembrance Day, December 7 (36 U.S.C. § 129; Executive Order 2005-27).
- v. National Fallen Firefighters Memorial Day, October 3 (Public Law 107-51).

### 3. HONORING MEMBERS OF OUR ARMED FORCES

- a. Because members of our armed forces voluntarily forego comfort and wealth to face hardships and deployments away from family and loved ones while defending our nation's security, the State of Kansas recognizes the duty, honor, and selfless service of all military personnel and remembers those who have given the ultimate sacrifice by laying down their lives to defend the freedoms the United States of America holds so dear.
- b. The flag of the United States shall be displayed at half-staff throughout the State of Kansas on a day designated by the Governor when any of the following occurs:
  - i. A member of the Kansas National Guard is killed in the line of duty.
  - ii. A member of the Kansas Air National Guard is killed in the line of duty.
  - iii. A Kansas resident serving as a member of the United States Armed Forces is killed in the line of duty.

### 4. HONORING FIRST RESPONDERS

- a. Everyday, first responders selflessly risk their lives to protect Kansans. The families of first responders bear unique, heavy burdens as they deal with the difficult work, punishing schedules, and mortal dangers their loved ones face on the job. When a first responder is killed in the line of duty, the sacrifice of both the first responder and the sacrifice of the family should be honored by all Kansans.
- b. Accordingly, the flag of the United States shall be displayed at half-staff throughout the State of Kansas on a day designated by the Governor when a Kansas first responder is killed or dies in the line of duty.
- c. A "first responder" is anyone defined as a "public safety officer" under 34 U.S.C. § 10284, which includes law enforcement officers, firefighters, emergency medical technicians, paramedics, and other emergency response workers.

### 5. HONORING FEDERAL OFFICIALS

- a. Upon the death of the President of the United States or a former President of the United States, the flag of the United States shall be displayed at half-staff throughout the State of Kansas for thirty days from the day of death.
- b. Upon the death of the Vice President of the United States, the flag of the United States shall be displayed at half-staff throughout the State of Kansas for ten days from the day of death.

- c. Upon the death of the Chief Justice of the United States or a retired Chief Justice of the United States, the flag of the United States shall be displayed at half-staff throughout the State of Kansas for ten days from the day of death.
- d. Upon the death of the Speaker of the United States House of Representatives, the flag of the United States shall be displayed at half-staff throughout the State of Kansas for ten days from the day of death.
- e. The flag of the United States shall be displayed at half-staff throughout the State of Kansas from the day of death until interment upon the death of any of the following:
  - i. An Associate Justice of the United States Supreme Court
  - ii. A member of the Cabinet of the President of the United States
  - iii. A former Vice President of the United States
  - iv. The President Pro Tempore of the United States Senate
  - v. The Majority Leader of the United States Senate
  - vi. The Minority Leader of the United States Senate
  - vii. The Majority Leader of the United States House of Representatives
  - viii. The Minority Leader of the United States House of Representatives
- f. Upon the death of a United States Senator representing the State of Kansas, the flag of the United States shall be displayed at half-staff throughout the State of Kansas from the day of death until interment.
- g. Upon the death of a Member of Congress representing a congressional district within the State of Kansas, the flag of the United States shall be displayed at half-staff within the State Capitol Complex and within the congressional district from the day of death until interment.
- h. Upon the death of a former United States Senator who represented the State of Kansas, the flag of the United States shall be displayed at half-staff at all state buildings, grounds, and facilities on a day designated by the Governor.
- i. Upon the death of a former Member of Congress who represented a congressional district within the State of Kansas, the flag of the United States shall be displayed at half-staff within the State Capitol Complex on a day designated by the Governor.

## 6. HONORING STATE OFFICIALS

- a. Upon the death of the Governor or a former Governor, the flag of the United States shall be displayed at half-staff throughout the State of Kansas from the day of death until interment.

- b. The flag of the United States shall be displayed at half-staff throughout the State of Kansas from the day of death until interment upon the death of any of the following state officials:
  - i. The Lieutenant Governor
  - ii. The Secretary of State
  - iii. The Attorney General
  - iv. The State Treasurer
  - v. The Insurance Commissioner
  - vi. The Chief Justice of the Kansas Supreme Court
- c. Upon the death of an Associate Justice of the Kansas Supreme Court, the flag of the United States shall be displayed at half-staff at all state buildings, grounds, and facilities from the day of death until interment.
- d. Upon the death of a judge of a Kansas court of record, the flag of the United States shall be displayed at half-staff within the State Capitol Complex and at all court buildings and facilities within the State of Kansas from the day of death until interment.
- e. Upon the death of any member of the Kansas Senate or Kansas House of Representatives, the flag of the United States shall be displayed at half-staff at all state buildings, grounds, and facilities from the day of death until interment.
- f. Upon the death of the Adjutant General or any former Adjutant General of the State of Kansas, the flag of the United States shall be displayed at half-staff at all state buildings, grounds, and facilities from the day of death until interment.

## 7. MISCELLANEOUS

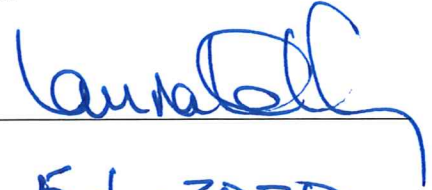
- a. In the event of the death of other officials, former officials, foreign heads of state, foreign dignitaries, and other persons, the flag of the United States shall be displayed at half-staff in accordance with any orders, directions, or instructions issued by the President of the United States or the Governor.
- b. When the flag of the United States is displayed at half-staff at a government facility, the manager of the facility or other appropriate official is encouraged to post in a location visible to members of the public visiting the facility the name of the individual memorialized so as to better inform government employees and the public why the flag is displayed at half-staff.

- 8. Executive Order 10-12 is rescinded.

This document shall be filed with the Secretary of State as Executive Order No. 20-30. It shall become effective immediately and remain in force until rescinded.

THE GOVERNOR'S OFFICE

BY THE GOVERNOR



DATED

5.6.2020



Secretary of State



Assistant Secretary of State

