

WSR 15-14-114
EXPEDITED RULES
DEPARTMENT OF
ENTERPRISE SERVICES

[Filed June 30, 2015, 4:48 p.m.]

June 30, 2015

Jack Zeigler

Policy and Rules Manager

Title of Rule and Other Identifying Information: Chapter 200-240 WAC, Display of flags—State capitol grounds.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Jack Zeigler, Department of Enterprise Services, 1500 Jefferson Street S.E., Olympia, WA 98504-140 [98504-1401], AND RECEIVED BY September 1, 2015.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Current rule:

- Current rule appears to imply that the permission of the governor is required to fly flags on the state capitol grounds other than the state of Washington flag and the United States flag, even when already permitted or required by statute;
- The current definition of "state capitol grounds" is not consistent with all statutes defining the state capitol grounds; and
- The current rule references a state department that no longer exists (the department of general administration).

Reasons Supporting Proposal: This proposal is necessary to:

- Clarify that other flags, such as the POW/MIA flag, may be flown without the governor's permission when required or permitted by law;
- Clarify that the "state capitol grounds" are those areas designated by the capitol campus committee;
- Change the words "general administration" to "enterprise services"; and
- Repeal WAC 200-240-001. This rule is not needed to understand or implement this rule.

Statutory Authority for Adoption: Chapter 43.19 RCW.

Statute Being Implemented: Chapter 43.19 RCW.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: [Department of enterprise services], governmental.

Name of Agency Personnel Responsible for Drafting: Jack Zeigler, 1500 Jefferson Street S.E., Olympia, WA, (360) 407-9209; Implementation: Bonnie Scheel, 1500 Jefferson Street S.E., Olympia, WA, (360) 407-9320; and Enforcement: Bob Covington, 1500 Jefferson Street S.E., Olympia, WA, (360) 407-9203.

AMENDATORY SECTION (Amending WSR 11-23-093, filed 11/17/11, effective 11/17/11)

WAC 200-240-004 "State capitol grounds" defined. "State capitol grounds" shall be construed to be those grounds designated by ~~((statute as))~~ the state capitol committee as state capitol grounds ~~((, including the east capitol campus, Sylvester Park and the old capitol building)).~~

AMENDATORY SECTION (Amending WSR 11-23-093, filed 11/17/11, effective 11/17/11)

WAC 200-240-010 Flag plazas. The flag plazas on the east and west capitol campus are designated as the official locations for display of the United States and Washington state flags on the state capitol grounds. The United States flag and the Washington state flag will be flown permanently at these locations.

The flags of visiting United States governors and dignitaries and other flags may be flown at these locations as required by law or at the discretion of the governor of the state of Washington.

~~((No other flags will be flown on any poles at the east or west capitol flag plazas.))~~

AMENDATORY SECTION (Amending WSR 11-23-093, filed 11/17/11, effective 11/17/11)

WAC 200-240-020 Display of flags on state buildings. The United States flag and the Washington state flag may be displayed from buildings on the state capitol grounds in such place and in such manner as the director of ~~((general administration))~~ enterprise services may direct. No flags other than the United States flag and the Washington state flag may be displayed upon any pole or other place designated for the official display of flags, except as provided by law or ~~((directed by))~~ at the discretion of the governor of the state of Washington.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 200-240-001 Promulgation.