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SENATE BILL 5183

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State of Washington

62nd Legislature

2011 Regular Session

By Senators White, Swecker, Prentice, Roach, Sheldon, Fain, Eide, Hobbs, Brown, Nelson, Haugen, Harper, Pridemore, Fraser, Kohl-Welles, Conway, Regala, Hatfield, Kastama, Rockefeller, Kline, Kilmer, Murray, Ranker, Keiser, Shin, Parlette, and Hargrove

Read first time 01/17/11. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to recognizing "Native American Heritage Day";  
2 reenacting and amending RCW 1.16.050; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) Native Americans have inhabited  
5 Washington state since time immemorial. Their sustainable culture is  
6 based on cooperation among neighbors and respect for the land and for  
7 all creatures living on it. Since the birth of America, Native  
8 Americans have contributed immeasurably to our country and our  
9 heritage, distinguishing themselves as scholars, artists,  
10 entrepreneurs, and leaders in all aspects of our society. They have  
11 also served in the United States armed forces with honor and  
12 distinction, defending the security of our nation with their lives.

13 (2) America's journey has been marked by both bright times of  
14 progress and dark moments of injustice for Native Americans. America's  
15 history, however, has not replicated the same peace or respect towards  
16 Native Americans. The Native American population was disrupted and  
17 nearly destroyed through European colonization. Genocide, slavery, and  
18 political and cultural repression were consequential adversities Native  
19 Americans had to overcome. In the face of such hardships, Native

1 Americans endured; their cultural beliefs flourished; and today we  
2 celebrate their importance to the United States and the state of  
3 Washington.

4 (3) In 1990, former President George H.W. Bush approved a joint  
5 resolution of congress designating November 1990 "National American  
6 Indian Heritage Month." Similar proclamations have been issued each  
7 year since 1994. In 2008, congress designated Friday, November 28,  
8 2008 as "Native American Heritage Day" and encouraged the people of the  
9 United States, as well as federal, state, and local governments and  
10 interested groups and organizations to observe "Native American  
11 Heritage Day" to pay tribute to Native Americans for their many  
12 contributions to the United States. In 2010, President Barack Obama  
13 approved a presidential proclamation designating November 2010  
14 "National Native American Heritage Month" and called upon all Americans  
15 to celebrate November 26, 2010, the Friday after Thanksgiving Day, as  
16 Native American Heritage Day. A day honoring Native American heritage  
17 is supported by one hundred eighty-four federally recognized Native  
18 American tribes throughout the United States. Thus, it is the intent  
19 of the legislature to declare the fourth Friday in November as "Native  
20 American Heritage Day."

21 **Sec. 2.** RCW 1.16.050 and 2007 c 61 s 2 and 2007 c 19 s 2 are each  
22 reenacted and amended to read as follows:

23 The following are legal holidays: Sunday; the first day of  
24 January, commonly called New Year's Day; the third Monday of January,  
25 being celebrated as the anniversary of the birth of Martin Luther King,  
26 Jr.; the third Monday of February to be known as Presidents' Day and to  
27 be celebrated as the anniversary of the births of Abraham Lincoln and  
28 George Washington; the last Monday of May, commonly known as Memorial  
29 Day; the fourth day of July, being the anniversary of the Declaration  
30 of Independence; the first Monday in September, to be known as Labor  
31 Day; the eleventh day of November, to be known as Veterans' Day; the  
32 fourth Thursday in November, to be known as Thanksgiving Day; (~~the day~~  
33 ~~immediately following Thanksgiving Day~~) the Friday immediately  
34 following the fourth Thursday in November, to be known as Native  
35 American Heritage Day; and the twenty-fifth day of December, commonly  
36 called Christmas Day.

1 Employees of the state and its political subdivisions, except  
2 employees of school districts and except those nonclassified employees  
3 of institutions of higher education who hold appointments or are  
4 employed under contracts to perform services for periods of less than  
5 twelve consecutive months, shall be entitled to one paid holiday per  
6 calendar year in addition to those specified in this section. Each  
7 employee of the state or its political subdivisions may select the day  
8 on which the employee desires to take the additional holiday provided  
9 for herein after consultation with the employer pursuant to guidelines  
10 to be promulgated by rule of the appropriate personnel authority, or in  
11 the case of local government by ordinance or resolution of the  
12 legislative authority.

13 If any of the above specified state legal holidays are also federal  
14 legal holidays but observed on different dates, only the state legal  
15 holidays shall be recognized as a paid legal holiday for employees of  
16 the state and its political subdivisions except that for port districts  
17 and the law enforcement and public transit employees of municipal  
18 corporations, either the federal or the state legal holiday, but in no  
19 case both, may be recognized as a paid legal holiday for employees.

20 Whenever any legal holiday, other than Sunday, falls upon a Sunday,  
21 the following Monday shall be the legal holiday.

22 Whenever any legal holiday falls upon a Saturday, the preceding  
23 Friday shall be the legal holiday.

24 Nothing in this section shall be construed to have the effect of  
25 adding or deleting the number of paid holidays provided for in an  
26 agreement between employees and employers of political subdivisions of  
27 the state or as established by ordinance or resolution of the local  
28 government legislative authority.

29 The legislature declares that the thirteenth day of January shall  
30 be recognized as Korean-American day but shall not be considered a  
31 legal holiday for any purposes.

32 The legislature declares that the twelfth day of October shall be  
33 recognized as Columbus day but shall not be considered a legal holiday  
34 for any purposes.

35 The legislature declares that the ninth day of April shall be  
36 recognized as former prisoner of war recognition day but shall not be  
37 considered a legal holiday for any purposes.

1       The legislature declares that the twenty-sixth day of January shall  
2 be recognized as Washington army and air national guard day but shall  
3 not be considered a legal holiday for any purposes.

4       The legislature declares that the seventh day of August shall be  
5 recognized as purple heart recipient recognition day but shall not be  
6 considered a legal holiday for any purposes.

7       The legislature declares that the second Sunday in October be  
8 recognized as Washington state children's day but shall not be  
9 considered a legal holiday for any purposes.

10       The legislature declares that the sixteenth day of April shall be  
11 recognized as Mother Joseph day and the fourth day of September as  
12 Marcus Whitman day, but neither shall be considered legal holidays for  
13 any purpose.

14       The legislature declares that the seventh day of December be  
15 recognized as Pearl Harbor remembrance day but shall not be considered  
16 a legal holiday for any purpose.

17       The legislature declares that the nineteenth day of February be  
18 recognized as civil liberties day of remembrance but shall not be  
19 considered a legal holiday for any purpose.

20       The legislature declares that the nineteenth day of June be  
21 recognized as Juneteenth, a day of remembrance for the day the slaves  
22 learned of their freedom, but shall not be considered a legal holiday  
23 for any purpose.

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