

Chapter 43.117 RCW
STATE COMMISSION ON ASIAN PACIFIC AMERICAN AFFAIRS

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*Ethnic and cultural diversity—Development of curriculum for
understanding: RCW 2.56.030 and 43.101.280.*

RCW 43.117.010 Legislative declaration. The legislature declares that the public policy of this state is to insure equal opportunity for all of its citizens. The legislature finds that Asian Pacific Americans have unique and special problems. It is the purpose of this chapter to improve the well-being of Asian Pacific Americans by insuring their access to participation in the fields of government, business, education, and other areas. The legislature is particularly concerned with the plight of those Asian Pacific Americans who, for economic, linguistic, or cultural reasons, find themselves disadvantaged or isolated from American society and the benefits of equal opportunity. The legislature aims to help these and all Asian Pacific Americans achieve full equality and inclusion in American society. The legislature further finds that it is necessary to aid Asian Pacific Americans in obtaining governmental services in order to promote the health, safety, and welfare of all the residents of this state. Therefore the legislature deems it necessary to create a commission to carry out the purposes of this chapter. [2000 c 236 s 1; 1995 c 67 s 2; 1983 c 119 s 1; 1974 ex.s. c 140 s 1.]

Effective date—2000 c 236: "This act takes effect April 30, 2000." [2000 c 236 s 4.]

Effective date—1983 c 119: "This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1983." [1983 c 119 s 5.]

RCW 43.117.020 Definitions. As used in this chapter unless the context indicates otherwise:

(1) "Asian Pacific Americans" include persons of Japanese, Chinese, Filipino, Korean, Samoan, Guamanian, Thai, Vietnamese, Cambodian, Laotian, and other South East Asian, South Asian, and Pacific Island ancestry.

(2) "Commission" means the Washington state commission on Asian Pacific American affairs in the office of the governor. [1995 c 67 s 3; 1974 ex.s. c 140 s 2.]

RCW 43.117.030 Commission established. There is established a Washington state commission on Asian Pacific American affairs in the office of the governor. The now existing Asian American advisory council shall become the commission upon enactment of this chapter. The council may transfer all office equipment, including files and records to the commission. [1995 c 67 s 4; 1974 ex.s. c 140 s 3.]

RCW 43.117.040 Membership—Terms—Vacancies—Travel expenses—Quorum—Executive director. (1) The commission shall consist of twelve members appointed by the governor. In making such appointments, the governor shall give due consideration to recommendations submitted to him or her by the commission. The governor may also consider nominations of members made by the various Asian American organizations in the state. The governor shall consider nominations for membership based upon maintaining a balanced distribution of Asian-ethnic, geographic, sex, age, and occupational representation, where practicable.

(2) Appointments shall be for three years except in case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term for which the vacancy occurs. Vacancies shall be filled in the same manner as the original appointments.

(3) Members shall receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(4) Seven members shall constitute a quorum for the purpose of conducting business.

(5) The governor shall appoint an executive director based upon recommendations made by the council. [2009 c 549 s 5171; 1982 c 68 s 1; 1981 c 338 s 16; 1975-'76 2nd ex.s. c 34 s 131; 1974 ex.s. c 140 s 4.]

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 43.117.050 Officers—Rules and regulations—Meetings. The commission shall:

(1) Elect one of its members to serve as chair; and also such other officers as necessary to form an executive committee;

(2) Adopt rules and regulations pursuant to chapter 34.05 RCW;

(3) Meet at the call of the chair or the call of a majority of its members, but in no case less often than once during any three month period;

(4) Be authorized to appoint such citizen task force as it deems appropriate. [2009 c 549 s 5172; 1974 ex.s. c 140 s 5.]

RCW 43.117.060 Staff. The executive director shall employ a staff who shall be state employees pursuant to Title 41 RCW and prescribe their duties as may be necessary to implement the purposes of this chapter. [1974 ex.s. c 140 s 6.]

RCW 43.117.070 Duties of commission—State agencies to give assistance. (1) The commission shall examine and define issues pertaining to the rights and needs of Asian Pacific Americans, and make recommendations to the governor and state agencies with respect to desirable changes in program and law.

(2) The commission shall advise such state government agencies on the development and implementation of comprehensive and coordinated policies, plans, and programs focusing on the special problems and needs of Asian Pacific Americans.

(3) The commission shall advise the legislature on issues of concern to the Asian Pacific American community.

(4) The commission shall coordinate and assist with statewide celebrations during the fourth week of Asian Pacific American Heritage Month that recognize the contributions to the state by Asian Pacific Americans in the arts, sciences, commerce, and education.

(5) The commission shall coordinate and assist educational institutions, public entities, and private organizations with celebrations of Korean-American day that recognize the contributions to the state by Korean-Americans in the arts, sciences, commerce, and education.

(6) Each state department and agency shall provide appropriate and reasonable assistance to the commission as needed in order that the commission may carry out the purposes of this chapter. [2018 c 143 s 2; 2007 c 19 s 3; 2000 c 236 s 3; 1995 c 67 s 5; 1974 ex.s. c 140 s 7.]

Findings—2007 c 19: See note following RCW 1.16.050.

Effective date—2000 c 236: See note following RCW 43.117.010.

RCW 43.117.080 Promotion of equal opportunity and benefits. In carrying out its duties, the commission may establish such relationships with local governments and private industry as may be needed to promote equal opportunity and benefits to Asian Pacific Americans in government, education, economic development, employment, and services. [1995 c 67 s 6; 1974 ex.s. c 140 s 8.]

RCW 43.117.090 Hearings—Information to be furnished to commission. (1) The commission may for the purpose of carrying out the purposes of this chapter hold such public hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the commission may deem advisable. The commission may administer oaths or affirmations to witnesses appearing before it. At least five members of the commission must be present to conduct a hearing.

(2) The commission may secure directly from any department or agency of the state information necessary to enable it to carry out the purposes of this chapter. Upon request of the chair of the commission, the head of such department or agency shall furnish such

information to the commission. [2009 c 549 s 5173; 1974 ex.s. c 140 s 9.]

RCW 43.117.100 Gifts, grants and endowments—Receipt and expenditure. The commission shall have authority to receive such gifts, grants, and endowments from public or private sources as may be made from time to time in trust or otherwise for the use and benefit of the purposes of the commission and to expend the same or any income therefrom according to the terms of said gifts, grants, or endowments. [1974 ex.s. c 140 s 10.]

RCW 43.117.110 Asian Pacific American heritage month. The legislature declares that:

(1) May of each year will be known as Asian Pacific American heritage month;

(2) The fourth week of May is designated as a time for people of this state to celebrate the contributions to the state by Asian Pacific Americans in the arts, sciences, commerce, and education; and

(3) Educational institutions, public entities, and private organizations are encouraged to designate time for appropriate activities in commemoration of the lives, history, achievements, and contributions of Asian Pacific Americans. [2000 c 236 s 2.]

Effective date—2000 c 236: See note following RCW 43.117.010.

RCW 43.117.120 Filipino American history month. October of each year will be known as Filipino American history month. Each October is designated as a time for people of this state to commemorate the contributions of Filipino Americans to the history and heritage of Washington state and the United States. [2019 c 283 s 2.]

Findings—Intent—2019 c 283: "The legislature finds that the writings and teachings of American history have often overlooked the role of people of color, among them the history of Filipino Americans, whose heritage spans a colonial, political, economic, and cultural relationship with the United States. The legislature also finds that the earliest documented proof of Filipino presence in the continental United States was on October 18, 1587, when the first "Luzones Indios" set foot in Morro Bay, California. The Filipino American national historical society recognizes the year of 1763 as the date of the first permanent Filipino settlement in the United States in St. Malo Parrish, Louisiana. Subsequent waves of migration followed, and today Filipino Americans continue to make a lasting impact on the history and heritage of Washington state and the United States. In recognition of the critical economic, cultural, social, and other notable contributions by Filipino Americans to Washington state and the United States, the legislature has proclaimed October as Filipino American history month since 2010.

The legislature further finds that the prominence of Filipino and Filipino American population in Washington state warrants official commemoration of the history and heritage of Filipino Americans. Therefore the legislature intends to designate the month of October as Filipino American history month, a period of commemoration that

highlights the contributions of Filipino Americans to Washington state and the United States." [2019 c 283 s 1.]

RCW 43.117.130 Chinese American/Americans of Chinese descent history month. (1) With the rise of economic opportunity in America and other parts of the world in the 19th century, the Chinese diaspora is now one of the largest in the world. As a result, many of those who are, or whose ancestors were, part of the Chinese diaspora have varied perspectives, experiences, and approaches in how they preserve their identity as Chinese Americans and Americans of Chinese descent.

(2) January of each year will be designated as a time for people of this state to commemorate the contributions of Chinese Americans and Americans of Chinese descent to the history and heritage of Washington state and shall be designated as Chinese American/Americans of Chinese descent history month.

(3) Public schools are encouraged to designate time in January for appropriate activities in commemoration of the lives, history, achievements, and contributions of Chinese Americans and Americans of Chinese descent. [2023 c 357 s 2.]

Intent—Findings—2023 c 357: "The legislature intends to designate a time of year to formally remember and recognize the contributions of Chinese Americans and finds that January of each year is a relevant and appropriate time for such recognition. The legislature finds that the California gold rush began on January 24, 1848, which brought thousands of people to the area, approximately 30 percent of whom were Chinese immigrants. With the immigration to the west as a result of the gold rush, Washington became home to many Chinese immigrants. Chinese immigrants contributed greatly to Washington's economy as miners and workers in the salmon canning industry. The Chinese population in Washington also grew when construction of the Northern Pacific Railroad transcontinental line began in 1871, which ran from Wisconsin and Minnesota to Washington and Oregon, as many laborers who were recruited to work on the railroad were Chinese.

The legislature also finds that designating January of each year as a time to recognize the contributions of Chinese Americans is relevant in acknowledging the contributions of notable early Chinese settlers. Goon Dip was well-known as a visionary, philanthropist, and entrepreneur, and is said to be the most influential Chinese immigrant in the Pacific Coast during the early 20th century. Goon Dip created a garment industry in Portland, Oregon where he taught Chinese men who were disabled and unable to perform manual labor how to sew. Goon Dip later expanded his business ventures to Seattle when in January 1909, the Chinese government appointed him as honorary consul for the Alaska-Yukon-Pacific Exposition, Washington's first world's fair, held in Seattle. Anticipating large crowds for the fair, Goon Dip built the Milwaukee Hotel at 662 King Street, which would house hundreds of tourists. Goon Dip was also influential in persuading Chinese businessmen to move Chinatown away from the Elliott Bay tidelands to the area around the new King Street Station at 2nd Avenue and Jackson Street. After his role as honorary consul during the Alaska-Yukon-Pacific Exposition, Goon Dip was named permanent consul and served under both the Manchu dynasty and the Kuomintang. Goon Dip died on September 12, 1933, at the Milwaukee Hotel and is buried in the family

plot in Lake View cemetery in Seattle. January is also the birth month of notable contemporary Chinese Americans in the state, including Gary Locke, who graduated from Seattle's Franklin High School and was the first Chinese American elected as Governor in the continental United States, the first Chinese American Secretary of Commerce, and the first Chinese American ambassador to China.

The legislature finds that these and other contributions to the state's rich history and economy by Chinese Americans is worthy of recognition and celebration. The legislature further finds that teaching this history in schools will help to commemorate the important achievements of Chinese Americans." [2023 c 357 s 1.]

RCW 43.117.140 Lunar new year. (1) The lunar new year of each year is designated as a time for people of this state to celebrate Asian American culture and to commemorate the contributions of Asian Americans to the history and heritage of Washington state.

(2) The legislature encourages state governmental entities, local governments, schools and institutions of higher education, and cultural organizations to celebrate the lunar new year.

(3) The commission shall create lunar new year programming and resources that these entities may use in planning and structuring their celebrations.

(4) For purposes of this section, "the lunar new year" is the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice should an intercalary month intervene. [2024 c 76 s 2.]

Finding—Intent—2024 c 76: "The legislature finds that each year the people of the great state of Washington unite to celebrate the Lunar New Year, joining to distinguish Asian American joy, cultures, and beautiful diversity. The legislature further acknowledges both the wonderful heritage and collective trauma of our Asian American ancestors, and it deeply appreciates the Asian American community that has made Washington a vibrant place for us all to call home, building and supporting their communities despite the uncertainty they have faced at times. The legislature highlights the solidarity and strength of the Asian American community in the face of violent racism, during the past few years, well before, and ongoing. The legislature intends the Lunar New Year to serve as a time to embrace reflections and understanding as we look towards renewal." [2024 c 76 s 1.]