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**SUBSTITUTE SENATE BILL 6078**

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**State of Washington**

**63rd Legislature**

**2014 Regular Session**

**By** Senate Governmental Operations (originally sponsored by Senators McCoy, Kohl-Welles, and Conway)

READ FIRST TIME 01/31/14.

1       AN ACT Relating to recognizing "Native American Heritage Day";  
2 amending RCW 1.16.050 and 28A.150.050; and creating a new section.

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

4       NEW SECTION.   **Sec. 1.** (1) The Washington state legislature finds  
5 that:

6       (a) Native Americans have long inhabited the area now known as  
7 Washington state, living in sustainable cultures based on cooperation  
8 and respect for the land and all creatures;

9       (b) Native Americans suffered many grave injustices when nontribal  
10 people settled in Washington state, but endured to preserve remarkable  
11 American Indian cultures;

12       (c) Native Americans have contributed immeasurably to Washington  
13 state and the United States as scholars, artists, entrepreneurs, and  
14 leaders in all realms of society;

15       (d) Native Americans have served with honor and distinction in the  
16 United States armed forces, and many made the ultimate sacrifice in  
17 that service;

18       (e) Many states have designated days, weeks, or months honoring  
19 Native American heritage, and on October 21, 2013, President Barack

1 Obama proclaimed November 2013 as National Native American Heritage  
2 Month and called upon all Americans to celebrate November 29, 2013, as  
3 Native American Heritage Day; and

4 (f) More than one hundred eighty federally acknowledged Native  
5 American tribes in the United States, including many Washington state  
6 tribes, support recognizing a day honoring Native American heritage.

7 (2) The Washington state legislature therefore intends to recognize  
8 and honor Washington state's proud and resonant Native American  
9 heritage by designating the Friday immediately following the fourth  
10 Thursday in November, currently a state legal and school holiday, as  
11 "Native American Heritage Day."

12 **Sec. 2.** RCW 1.16.050 and 2013 c 5 s 1 are each amended to read as  
13 follows:

14 (1) The following are state legal holidays:

15 (a) Sunday;

16 (b) The first day of January, commonly called New Year's Day;

17 (c) The third Monday of January, (~~being~~) celebrated as the  
18 anniversary of the birth of Martin Luther King, Jr.;

19 (d) The third Monday of February, to be known as Presidents' Day  
20 and (~~to be~~) celebrated as the anniversary of the births of Abraham  
21 Lincoln and George Washington;

22 (e) The last Monday of May, commonly known as Memorial Day;

23 (f) The fourth day of July, (~~being~~) the anniversary of the  
24 Declaration of Independence;

25 (g) The first Monday in September, to be known as Labor Day;

26 (h) The eleventh day of November, to be known as Veterans' Day;

27 (i) The fourth Thursday in November, to be known as Thanksgiving  
28 Day;

29 (j) The (~~day~~) Friday immediately following (~~Thanksgiving~~) the  
30 fourth Thursday in November, to be known as Native American Heritage  
31 Day; and

32 (k) The twenty-fifth day of December, commonly called Christmas  
33 Day.

34 (2) Employees of the state and its political subdivisions, except  
35 employees of school districts and except those nonclassified employees  
36 of institutions of higher education who hold appointments or are  
37 employed under contracts to perform services for periods of less than

1 twelve consecutive months, (~~shall be~~) are entitled to one paid  
2 holiday per calendar year in addition to those specified in this  
3 section. Each employee of the state or its political subdivisions may  
4 select the day on which the employee desires to take the additional  
5 holiday provided for (~~herein~~) in this section after consultation with  
6 the employer pursuant to guidelines to be promulgated by rule of the  
7 appropriate personnel authority, or in the case of local government by  
8 ordinance or resolution of the legislative authority.

9 (3) If any of the (~~above specified~~) state legal holidays  
10 specified in this section are also federal legal holidays but observed  
11 on different dates, only the state legal holidays (~~shall be~~) are  
12 recognized as a paid legal holiday for employees of the state and its  
13 political subdivisions (~~except that for~~). However, for port  
14 districts and the law enforcement and public transit employees of  
15 municipal corporations, either the federal or the state legal holiday  
16 is recognized as a paid legal holiday, but in no case may both (~~may~~)  
17 holidays be recognized as a paid legal holiday for employees.

18 (4) Whenever any state legal holiday (~~is~~):

19 (a) Other than Sunday, falls upon a Sunday, the following Monday  
20 (~~shall be~~) is the legal holiday (~~is~~  
21 ~~Whenever any legal holiday~~); or

22 (b) Falls upon a Saturday, the preceding Friday (~~shall be~~) is the  
23 legal holiday.

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

29 (6) The legislature declares that the following days are recognized  
30 as provided in this subsection, but may not be considered legal  
31 holidays for any purpose:

32 (a) The thirteenth day of January (~~shall be~~),  
33 recognized as Korean-American day (~~but shall not be considered a legal holiday for~~  
34 any purposes.

35 ~~The legislature declares that~~);

36 (b) The twelfth day of October (~~shall be~~),  
37 recognized as Columbus day (~~but shall not be considered a legal holiday for any purposes.~~

38 ~~The legislature declares that~~);

1        (c) The ninth day of April (~~(shall be)~~), recognized as former  
2 prisoner of war recognition day (~~((but shall not be considered a legal~~  
3 ~~holiday for any purposes.~~

4        ~~The legislature declares that))~~;

5        (d) The twenty-sixth day of January (~~(shall be)~~), recognized as  
6 Washington army and air national guard day (~~((but shall not be~~  
7 ~~considered a legal holiday for any purposes.~~

8        ~~The legislature declares that))~~;

9        (e) The seventh day of August (~~(shall be)~~), recognized as purple  
10 heart recipient recognition day (~~((but shall not be considered a legal~~  
11 ~~holiday for any purposes.~~

12        ~~The legislature declares that))~~;

13        (f) The second Sunday in October (~~(be)~~), recognized as Washington  
14 state children's day (~~((but shall not be considered a legal holiday for~~  
15 ~~any purposes.~~

16        ~~The legislature declares that))~~;

17        (g) The sixteenth day of April (~~(shall be)~~), recognized as Mother  
18 Joseph day (~~(and)~~);

19        (h) The fourth day of September, recognized as Marcus Whitman  
20 day(~~(, but neither shall be considered legal holidays for any purpose.~~

21        ~~The legislature declares that))~~;

22        (i) The seventh day of December (~~(be)~~), recognized as Pearl Harbor  
23 remembrance day (~~((but shall not be considered a legal holiday for any~~  
24 ~~purpose.~~

25        ~~The legislature declares that))~~;

26        (j) The twenty-seventh day of July (~~(be)~~), recognized as national  
27 Korean war veterans armistice day (~~((but shall not be considered a legal~~  
28 ~~holiday for any purpose.~~

29        ~~The legislature declares that))~~;

30        (k) The nineteenth day of February (~~(be)~~), recognized as civil  
31 liberties day of remembrance (~~((but shall not be considered a legal~~  
32 ~~holiday for any purpose.~~

33        ~~The legislature declares that))~~;

34        (l) The nineteenth day of June (~~(be)~~), recognized as Juneteenth, a  
35 day of remembrance for the day the slaves learned of their freedom(~~(,~~  
36 ~~but shall not be considered a legal holiday for any purpose.~~

37        ~~The legislature declares that))~~; and

1        (m) The thirtieth day of March (~~(be)~~), recognized as welcome home  
2 Vietnam veterans day (~~(but shall not be considered a legal holiday for~~  
3 ~~any purpose)~~).

4        **Sec. 3.** RCW 28A.150.050 and 1989 c 233 s 11 are each amended to  
5 read as follows:

6        (1) The following are school holidays, and school (~~(shall)~~) may not  
7 be taught on these days:

8        (a) Sunday;

9        (b) The first day of January, commonly called New Year's Day;

10       (c) The third Monday of January, (~~(being)~~) celebrated as the  
11 anniversary of the birth of Martin Luther King, Jr.;

12       (d) The third Monday in February, to be known as Presidents' Day  
13 and (~~(to be)~~) celebrated as the anniversary of the births of Abraham  
14 Lincoln and George Washington;

15       (e) The last Monday in May, commonly known as Memorial Day;

16       (f) The fourth day of July, (~~(being)~~) the anniversary of the  
17 Declaration of Independence;

18       (g) The first Monday in September, to be known as Labor Day;

19       (h) The eleventh day of November, to be known as Veterans'  
20 Day(~~(τ)~~);

21       (i) The fourth Thursday in November, commonly known as Thanksgiving  
22 Day;

23       (j) The (~~(day)~~) Friday immediately following (~~(Thanksgiving)~~) the  
24 fourth Thursday in November, to be known as Native American Heritage  
25 Day; and

26       (k) The twenty-fifth day of December, commonly called Christmas  
27 Day(~~(: PROVIDED, That)~~).

28       (2) No reduction from (~~(the)~~) a teacher's time or salary (~~(shall)~~)  
29 may be made by reason of the fact that a school day happens to be one  
30 of the days referred to in this section as a day on which school  
31 (~~(shall not be)~~) is not taught.

32       NEW SECTION.       **Sec. 4.** If any provision of this act or its  
33 application to any person or circumstance is held invalid, the  
34 remainder of the act or the application of the provision to other

1 persons or circumstances is not affected.

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