
HOUSE BILL 2751

State of Washington

66th Legislature

2020 Regular Session

By Representatives Pettigrew, DeBolt, Lekanoff, Maycumber,
Fitzgibbon, Rude, Chapman, Tharinger, Pollet, and Ormsby

Read first time 01/20/20. Referred to Committee on State Government
& Tribal Relations.

1 AN ACT Relating to tribal-state relations; reenacting and
2 amending RCW 1.16.050; adding a new chapter to Title 44 RCW; creating
3 a new section; and providing an expiration date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature recognizes and
6 respects the sovereign status of the tribes and the state in a
7 government-to-government relationship and seeks to enhance and
8 improve communications and facilitate resolution of issues between
9 tribes and the state.

10 (2) In 1989, the governor signed the centennial accord on behalf
11 of the state, along with tribes of the state, to achieve mutual
12 tribal-state goals through an improved relationship and shared
13 respect between sovereign governments. The centennial accord provided
14 a framework and procedures for implementing this government-to-
15 government relationship. In 1999, the governor and the tribes signed
16 the new millennium agreement, which reaffirmed the commitments of the
17 centennial accord, and strengthened the foundation for government-to-
18 government relations and cooperation. The new millennium agreement
19 specifically called upon the legislature "... to establish a
20 structure to address issues of mutual concern to the state and
21 tribes". Washington has also recognized a similar commitment to

1 government-to-government relationships with federally recognized
2 tribes located out of state who have treaty reserved rights within
3 Washington. The Yakama Nation has not signed onto any of the
4 mentioned agreements.

5 (3) The legislature recognizes that the executive branch has
6 established and continues its efforts to improve and promote a
7 government-to-government relationship and further recognizes, as a
8 coequal branch of state government, its own responsibility and role
9 in maintaining a government-to-government relationship with the
10 tribes of this state and tribes located out of state with treaty
11 reserved rights within Washington. The legislature has a particular
12 concern and interest in growing and maintaining strong relationships
13 with the tribes to preserve, protect, and manage resources, and
14 recognizes that tribes have specific treaty rights including, but not
15 limited to, the right of taking fish and the privilege to hunt within
16 the state.

17 (4) For these reasons, the legislature intends to establish a
18 joint committee to address issues of mutual concern to the tribes and
19 the state.

20 NEW SECTION. **Sec. 2.** (1)(a) A joint committee on tribal-state
21 relations is established, with members as provided in this subsection
22 (1).

23 (i) The president of the senate must appoint four members from
24 each of the two largest caucuses of the senate.

25 (ii) The speaker of the house of representatives must appoint
26 four members from each of the two largest caucuses of the house of
27 representatives.

28 (iii) The governor must appoint one member from the association
29 of Washington tribes.

30 (b) Executive offices and agencies, including the department of
31 fish and wildlife, the department of natural resources, and the
32 governor's office of Indian affairs, must cooperate with the
33 committee and provide information as the cochairs may reasonably
34 request.

35 (c) The committee has two cochairs, one of whom is the member
36 from the association of Washington tribes. The committee must choose
37 its other cochair from among its legislative membership.

38 (2) The committee must serve as a forum for effective government-
39 to-government communications and seek to foster resolution of issues

1 of mutual concern between the tribes and the state. The committee
2 must consider the needs and concerns of tribal groups and
3 organizations in Washington, as well as the needs and concerns of all
4 American Indians in Washington.

5 (3) The cochairs must schedule two meetings per year. One meeting
6 must be scheduled to correspond with the governor's centennial accord
7 meeting, and one meeting must be scheduled in collaboration with the
8 association of Washington tribes. Committee meetings must be
9 scheduled and conducted in accordance with the requirements of both
10 the senate and the house of representatives. By December 15th of each
11 year, and in compliance with RCW 43.01.036, the cochairs must develop
12 and submit an annual report of committee activities, findings, and
13 recommendations to the governor and the legislature.

14 (4) Staff support for the committee is provided by senate
15 committee services and the house of representatives' office of
16 program research.

17 (5) Legislative members of the committee are reimbursed for
18 travel expenses in accordance with RCW 44.04.120.

19 (6) The expenses of the committee must be paid jointly by the
20 senate and the house of representatives. Committee expenditures are
21 subject to approval by the senate facilities and operations committee
22 and the house of representatives executive rules committee, or their
23 successor committees.

24 (7) The committee may not abrogate or supersede negotiations or
25 relations that any Indian tribe, band, or group might have or develop
26 individually with any state, federal, or local government.

27 **Sec. 3.** RCW 1.16.050 and 2019 c 224 s 2 and 2019 c 10 s 1 are
28 each reenacted and amended to read as follows:

29 (1) The following are state legal holidays:

30 (a) Sunday;

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

32 (c) The third Monday of January, celebrated as the anniversary of
33 the birth of Martin Luther King, Jr.;

34 (d) The third Monday of February, to be known as Presidents' Day
35 and celebrated as the anniversary of the births of Abraham Lincoln
36 and George Washington;

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

38 (f) The fourth day of July, the anniversary of the Declaration of
39 Independence;

- 1 (g) The first Monday in September, to be known as Labor Day;
2 (h) The eleventh day of November, to be known as Veterans' Day;
3 (i) The fourth Thursday in November, to be known as Thanksgiving
4 Day;
5 (j) The Friday immediately following the fourth Thursday in
6 November, to be known as Native American Heritage Day; and
7 (k) The twenty-fifth day of December, commonly called Christmas
8 Day.

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

21 (3) Employees of the state and its political subdivisions,
22 including employees of school districts and those nonclassified
23 employees of institutions of higher education who hold appointments
24 or are employed under contracts to perform services for periods of
25 less than twelve consecutive months, are entitled to two unpaid
26 holidays per calendar year for a reason of faith or conscience or an
27 organized activity conducted under the auspices of a religious
28 denomination, church, or religious organization. This includes
29 employees of public institutions of higher education, including
30 community colleges, technical colleges, and workforce training
31 programs. The employee may select the days on which the employee
32 desires to take the two unpaid holidays after consultation with the
33 employer pursuant to guidelines to be promulgated by rule of the
34 appropriate personnel authority, or in the case of local government
35 by ordinance or resolution of the legislative authority. If an
36 employee prefers to take the two unpaid holidays on specific days for
37 a reason of faith or conscience, or an organized activity conducted
38 under the auspices of a religious denomination, church, or religious
39 organization, the employer must allow the employee to do so unless
40 the employee's absence would impose an undue hardship on the employer

1 or the employee is necessary to maintain public safety. Undue
2 hardship shall have the meaning established in rule by the office of
3 financial management under RCW 43.41.109.

4 (4) If any of the state legal holidays specified in this section
5 are also federal legal holidays but observed on different dates, only
6 the state legal holidays are recognized as a paid legal holiday for
7 employees of the state and its political subdivisions. However, for
8 port districts and the law enforcement and public transit employees
9 of municipal corporations, either the federal or the state legal
10 holiday is recognized as a paid legal holiday, but in no case may
11 both holidays be recognized as a paid legal holiday for employees.

12 (5) Whenever any state legal holiday:

13 (a) Other than Sunday, falls upon a Sunday, the following Monday
14 is the legal holiday; or

15 (b) Falls upon a Saturday, the preceding Friday is the legal
16 holiday.

17 (6) Nothing in this section may be construed to have the effect
18 of adding or deleting the number of paid holidays provided for in an
19 agreement between employees and employers of political subdivisions
20 of the state or as established by ordinance or resolution of the
21 local government legislative authority.

22 (7) The legislature declares that the following days are
23 recognized as provided in this subsection, but may not be considered
24 legal holidays for any purpose:

25 (a) The thirteenth day of January, recognized as Korean-American
26 day;

27 (b) The twelfth day of October, recognized as Columbus day;

28 (c) The ninth day of April, recognized as former prisoner of war
29 recognition day;

30 (d) The twenty-sixth day of January, recognized as Washington
31 army and air national guard day;

32 (e) The seventh day of August, recognized as purple heart
33 recipient recognition day;

34 (f) The second Sunday in October, recognized as Washington state
35 children's day;

36 (g) The sixteenth day of April, recognized as Mother Joseph day;

37 (h) The fourth day of September, recognized as Marcus Whitman
38 day;

39 (i) The seventh day of December, recognized as Pearl Harbor
40 remembrance day;

1 (j) The twenty-seventh day of July, recognized as national Korean
2 war veterans armistice day;

3 (k) The nineteenth day of February, recognized as civil liberties
4 day of remembrance;

5 (l) The nineteenth day of June, recognized as Juneteenth, a day
6 of remembrance for the day the slaves learned of their freedom;

7 (m) The thirtieth day of March, recognized as welcome home
8 Vietnam veterans day;

9 (n) The eleventh day of January, recognized as human trafficking
10 awareness day;

11 (o) The thirty-first day of March, recognized as Cesar Chavez
12 day;

13 (p) The tenth day of April, recognized as Dolores Huerta day;
14 ((and))

15 (q) The fourth Saturday of September, recognized as public lands
16 day; and

17 (r) The third Monday of November, recognized as Washington state
18 tribes and treaties day, a day to honor the five Washington treaties
19 and all nontreaty tribes.

20 NEW SECTION. Sec. 4. Sections 1 and 2 of this act constitute a
21 new chapter in Title 44 RCW.

22 NEW SECTION. Sec. 5. Sections 1 and 2 of this act expire July
23 1, 2028.

24 NEW SECTION. Sec. 6. If specific funding for the purposes of
25 this act, referencing this act by bill or chapter number, is not
26 provided by June 30, 2020, in the omnibus appropriations act, this
27 act is null and void.

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