In the long march of history, “Washington” is a recent creation. For thousands of years before white settlers came, native people lived in this part of the world without creating the boundaries that define our state today.

The pattern of their lives was shaped by the natural world – by where the rivers flowed, where the berries grew, and where the best fishing spots were located. Washington’s first people didn’t plant crops or build factories; they fished, hunted, and gathered wild plants for food. They made their homes, their clothing, and everything else they needed from the materials that nature provided.

They knew how to harvest fish without harming future fish runs. They knew how to burn prairie lands to keep them open, so that the camas plant whose roots they ate would flourish. They managed the natural world, but they also considered themselves part of it.

During the spring and summer, they often traveled and built summer camps where the best berries or the best hunting was. In the winter, they returned to their winter houses or longhouses, where they spent more time indoors, making baskets, clothing, and other necessities, and telling stories around the fire.
Throughout the year, native peoples held special ceremonies to show their appreciation for the bounty that nature provided. They honored the spirits of the fish, the trees, the sun and moon. This powerful connection to the spiritual nature of life was a source of strength and unity.

There were important differences between people on the east and west sides of the Cascades – just as there are today. Much of the east side of the state is drier, more open land, and the climate is hotter in the summer and colder in the winter than the rainy, more heavily forested west side of the state. As you might expect, the people who lived near the coast or around Puget Sound ate more seafood – clams, oysters, and even whale meat, than people who lived on the other side of the Cascade mountains. People in different areas also spoke different languages. What all Washington’s first people had in common, though, was that they were very good at catching and preserving salmon. Wild salmon were extremely important to all of Washington’s first peoples.

Even though Washington’s original cultures and traditions were shaped by differences in climate and location, the way people governed themselves was similar. They didn’t write things down, so everything they did involved a lot of talking – and a lot of careful listening. In fact, listening was a very highly-developed skill. Adults taught young people the rules of good behavior by telling stories that gave specific examples of what happened when a person didn’t behave the way they should. Young people learned by listening, and by really thinking about what they heard.

When a band or tribe needed to make a decision, they gathered around and talked about what to do. If there was a disagreement, people continued to talk about it until they found a solution everyone could agree on. This is called governing by consensus. Sometimes it would take a very long time to reach consensus on a decision, but it was more important for everyone to agree than to make a decision quickly.

Most groups of people had different leaders for different purposes. For instance, one person might be the leader for a hunting trip, but a different person might take the lead in deciding where to build a village. If someone was needed to represent the group...
in dealing with another tribe (or with white explorers or settlers), that might be yet another person. People mostly looked to elders for leadership, because they had more experience and wisdom. In fact, elders were honored and held in high esteem. Sometimes, certain families provided certain kinds of leadership for many generations.

In these societies, no one owned land; that idea never occurred to them. They didn’t have hard and fast definitions of who was a member of which tribe, either. They had networks for trading and visiting each other, and people from one band or tribe often married into another. Although each tribal group had its own traditions, its own general territory, and its own ways of doing things, there was plenty of exchange that kept people from becoming isolated.

Tribal societies in Washington were radically changed by the coming of white settlers in the middle of the 1800s. In just a few years, the settlers, backed by the U. S. government, took over most of the state, and signed treaties with native peoples that required them to give up most of their land. In the place of tribal self-government, the U. S. government asserted its authority.

The traditional ways Washington’s people lived and governed themselves were changed forever. But the traditions of Washington’s first peoples weren’t lost. Even though many of the Indians’ spiritual and ceremonial practices were banned for many years by the new settlers’ government, they were kept alive, often in secret. On reservations and in Indian communities around the state, those traditions continue to be passed from one generation to the next. Today, many tribes blend ancient traditions with modern ways of governing. Indians often credit their deeply spiritual traditions with giving them the strength to survive the overwhelming force of white settlers, and the many twists and turns of U. S. policy towards native peoples.

Today, Indian self-government, traditions and culture are experiencing a dramatic comeback. A series of court decisions and changes in national and state policy have affirmed the rights spelled out in the treaties and stimulated the growth and development of tribal self-determination. These decisions were won by many years of determined effort by Indian people and their allies. Today, tribal governments are growing and changing, and taking on important new roles and responsibilities. Tribal governments have become more and more important not just to Indians, but to all of us, because they are involved in issues such as saving wild salmon, protecting the health of rivers and streams, managing urban growth, improving education, and creating jobs.
The State We’re In: Washington Chapter 1

Getting the Facts (please answer each question in a complete sentence or sentences)

1. How was life different on the west side and east side of the Cascades? What are two of those differences?
2. Native tribes did not write things down. What did children have to learn to do? How did adults teach the rules of good behavior?
3. How did a group make a decision? What is governing by consensus?
4. Many groups of people had different leaders for different purposes. Give two examples of this.
5. Who owned the land in Native American tribes?
6. What contact did the tribes have with each other?
7. How did tribal societies change with the coming of the white settlers?
8. How did the traditions of the Indians continue after the arrival of these settlers?
9. How is Indian self-government and culture experiencing a comeback? What issues are tribal governments involved in today?

Understanding the Facts (please choose only 2 questions and answer in complete paragraphs)

1. What materials from nature do you think Indians used to sustain their daily living?
2. How did climate affect the differences between life on the west side and life on the east side of the Cascades (food, clothing, shelter, tools).
3. What kinds of things did Indian children need to learn? How does this compare with the children of the white settlers?
4. What could be positive reasons to have different leaders for different purposes? What could be some negative reasons?
5. How did tribes use consensus to govern?
7. How are the tribes involved in environmental issues today?
The design of today’s democracy

Democracy is the idea that people should have control over their government. This is the opposite of government having control of the people. In societies where there is one absolute ruler – a king, or a dictator – all power is held by one person. In a democracy, all power is held by the people.

In a democracy, people control government by voting. When our country was founded, the idea that all people should be able to vote was considered quite radical. The people who wrote the constitution thought they were going pretty far just by giving the right to vote to all white men who owned land. This was a huge change for a people who had been ruled by a king who lived far across the ocean.

Over the years, the right to vote has been expanded to include people who don’t own land, African-Americans, women, Native Americans, and immigrants of all races who choose to become citizens. Today, it seems obvious to us that everyone is equal, and that everyone should have the right to vote. But we need to remember that this was not always so, and that the right to vote is something that many generations of Americans struggled hard to create for us.

Universal suffrage – the right of everyone to vote – is the foundation of democracy, but in a complex society like ours, people cannot vote on everything. We have to choose people to do the work of governing for us. That’s why we elect people to represent us. This is called representative democracy. (When people vote on everything, it’s called direct democracy.)

The basic principles of our system of government are spelled out in our nation’s constitution, which was adopted when our country was founded over 200 years ago. The constitution sets the basic rules for how government should work. A series of amendments to the constitution called the Bill of Rights defines the rights of citizens.

Different kinds of government

We have three basic levels of government: national, state, and local.

Our national government deals with issues that affect our whole nation. This includes managing our relationships with other countries, protecting the U.S. from attack, making national laws, and providing programs and services for all Americans.

Our 50 state governments – and the governments of territories governed by the U.S., like Puerto Rico, Guam and American Samoa – deal with issues that affect the people of their state or territory.

Our local governments make laws and provide services to people within counties, cities and towns.

Tribal governments are also an important part of the United States. In every state, including Washington, tribes govern the native people who live on the reservations created when their ancestors signed treaties with the federal government.

State and local governments are based on the same democratic ideas as our national government. Tribal governments are usually based partly on the national model described in our constitution, and partly on the traditional ways tribes governed themselves before settlers came.
Our constitution is the foundation of our democracy. It represents a very careful balance between *individual liberty* and the *common good*. Our constitution protects our freedom to pursue our own dreams and choose our own beliefs, but, at the same time, it calls on citizens and elected leaders to put the common good — the welfare of everyone — ahead of our own interests.

**Separation of powers**

Human beings are far from perfect, and we often have a hard time resisting the temptation to abuse power. We also need stability in our government so that people and businesses can plan for the future. That’s why American democracy spreads power around rather than giving a lot of power to one elected leader.

American democracy has three branches of government — the legislative branch, the executive branch, and the judicial branch. By balancing power among three branches of government, we assure that power is shared, and that no one person or branch of government has absolute authority.

- **At the federal or national level, the legislative branch makes laws,** and decides how to spend the federal taxes that all of us pay. The legislative branch consists of the Senate and the House of Representatives. (Together, the House and Senate are called the Congress.) The people of each state elect two Senators, no matter how big or small the state is. But the number of representatives each state elects to the House of Representatives depends on how many people live there. (For example, Washington currently has ten representatives; California has 52.)

- **The president, who is the head of the executive branch,** can approve or reject (veto) the laws Congress makes. If the President vetoes a law, the Congress can cancel (override) the veto by passing the law again, but this time two-thirds of them (not just a *simple majority* of half plus one) have to vote for it.

The president is also the boss for most national government agencies, and is the Commander in Chief of the military.

- **The most important part of the judicial branch is the Supreme Court.** There are nine Justices on the Supreme Court. They are appointed for life by the President, but the Senate has to vote to approve of the President’s appointments. Because Supreme Court Justices are appointed for life, they don’t have to worry about losing their jobs if they make decisions that someone doesn’t like. Their primary duty is to make sure that the laws passed by Congress, states, and local governments respect the basic principles laid out in our nation’s constitution.

  If the Supreme Court decides a law is unconstitutional, it can throw the law out. The Supreme Court can also rule on cases about whether police and other government agencies — including the president — respect the constitutional rights of citizens.

This system of government is not designed to be efficient and fast; it is designed to be careful and slow. A new law has to be debated and voted on by the legislative branch, approved by the executive branch, and, if anyone challenges it, upheld by our judicial branch.

There is often tension and conflict between the three branches of government. Presidents sometimes get angry when the Senate doesn’t approve their appointments to the Supreme Court. Congress doesn’t like it when a President vetoes a law they’ve passed. But because everyone agrees with the basic rules set out in the constitution, these conflicts don’t get out of hand.
This basic idea – the idea of separation of powers into the three branches of government – is reflected in the way state and local governments are organized, too. But state and local governments vary in the way they do this. Nebraska, for instance, has only one legislative body instead of two. And in our state, we elect the members of our state Supreme Court rather than letting the Governor (the head of our executive branch) appoint them.

Many local governments combine some of the functions of the legislative and executive branches because they are just too small to maintain three separate branches. But the basic principle of spreading power around is a universal feature of American governance. It is often called a system of checks and balances.

The rule of law

A cornerstone of American government is the idea of having a “government of laws rather than a government of men.” This means that our government is guided by the law, not by what one person – or one group of people – wants to do. Our laws are intended to apply to everyone equally. No one is supposed to get special treatment, no matter how rich or powerful they may be. And the power of all government officials is limited to what the law says they can do.

Majority rule, minority rights

When our nation was founded, the people who wrote our constitution worked hard to balance two ideas. The first – majority rule – is the idea that the ultimate power in a democracy is vested in the people. When we elect leaders, the majority of the people – that is, 50% plus one or more – determines who wins.

The second idea relates to “the rule of law.” The idea is that the majority shouldn’t be able to violate the rights of a minority. Like the idea of the separation of powers, this idea recognizes that people are imperfect. Sometimes the majority of people are prejudiced against a certain group of people – people of a different race or religion, or people who have different political beliefs, for instance. Our political system is designed to protect minorities by providing all citizens with the same rights, and by giving the Supreme Court the power to strike down any law, no matter how popular, if it violates the rights of even one person. These ideas are reflected in the U. S. Constitution’s Bill of Rights.

Federalism

The word federalism describes the division of responsibility between state governments and our national government. When our country was founded, it was made up of 13 colonies that had been created by England. As our national constitution was being written, there were lots of arguments about how much power they would have when they became states, and how much power the national government would have. In the end, the general idea was that the federal government would make rules about things that crossed state lines, and states would be responsible for everything else. So, for instance, states are responsible for education, but the national government is responsible for defending our nation from attack.

Not all of the arguments about state versus national government power were really settled when the constitution was written. In the history of the U. S., the relative power of state and federal governments has continued to change. During the civil rights movement of the 1960s for instance, southern states argued that they had “states’ rights” to discriminate against African-Americans. After a long series of debates and court cases, it was decided that they did not.

Immigration

People who come to the U. S. from other countries are called immigrants. Sometimes people say that the U. S. is a nation of immigrants, since all of us except Indians are descendants of immigrants. Today, about 12.9% of the people in the U. S. were born in another country.
Some immigrants come to this country because they are fleeing from war in their home country. Some come because they might be jailed or even killed for their political or religious beliefs or their race. These people are called refugees, because they are seeking refuge—a safe place. But most immigrants come to join family members who are already here, or because they want better jobs and more opportunities for their children. Sometimes immigrants come because there is a shortage of people for certain jobs or professions—nurses, for instance, or computer professionals, or farm workers.

The federal government sets the number of immigrants that can come to the U.S. every year. Often when people in other countries apply to come here, they have to wait many years before they get permission from the federal government. Many never get permission. If they come to the U.S. without getting permission first, or if they stay longer than they have permission to, they are considered illegal immigrants. There are probably several million illegal immigrants in the U.S. today. (No one knows the exact number.)

Most illegal immigrants come to this country because they are poor and they need jobs. And lots of American employers hire them, even though it is against the law to do so. There is a constant conflict about this. Some people think all illegal immigrants should be rounded up and sent back to their home countries. Other people think that some or all the illegal immigrants in the country should be given amnesty—meaning they should be given permission to stay, and be made legal immigrants, because employers need them, and because they make an important contribution to the American economy by working and paying taxes.

Only legal immigrants can apply to become American citizens. To become a citizen, an immigrant has to live in this country for at least five years. Then they have to fill out an application form, pay a fee, be interviewed by a U.S. official, and pass a test to show that they have learned to read, write and speak English; that they know some U.S. history; and that they understand how American government works.

All children born in the U.S. are citizens by birth. If adults come to this country illegally and then have children while they are here, the children are U.S. citizens because they were born in this country. If their parents are here illegally, or if the parents commit a crime, they can be deported (sent back to the country they came from). But what happens to the children? Legally, they have a right to stay here—but to exercise that right, they might have to be separated from their own mom and dad.

Immigration also gets complicated when it comes to deciding what government services people get. Illegal immigrants pay taxes, but they don’t get the same benefits as other taxpayers. They can’t get welfare, government-paid health insurance, or help if they get hurt and can’t work. (Even legal immigrants can’t get most welfare benefits.)

People argue about this a lot. If a woman is a poor illegal immigrant, and she’s going to have a baby, should the government pay for her medical care? Some people say no, because she broke the law by coming here illegally. Other people say yes, because the baby will be a U.S. citizen, and we want that child to be born healthy.

People have similar arguments about whether kids who are illegal immigrants should be able to go to school. Some people say that U.S. citizens shouldn’t have to pay to educate kids who are here illegally. But the U.S. Supreme Court has said that the kids shouldn’t be punished for something their parents did. They say that educating all kids is the best and only way to make sure that they can get jobs and pay taxes when they grow up. (Washington’s state constitution says we should educate all children “residing” in our state, not just those who are citizens.)
Who came when, and where did they come from?

When the railroad finally reached Washington in 1887, it cut the time to travel across the country from four to six months to six days. Washington’s population exploded once the railroads connected us to the rest of the country. Most of the people who came were European immigrants who had already lived for some time in the East and Midwest, but people also came directly from other countries.

National immigration policy didn’t exist until 1882. That was the first time the federal government passed a law to control who could come to this country – and the law was the Chinese Exclusion Act, which forbade any more Chinese laborers from coming to the U. S. In the 1920s, more immigration laws were passed to limit the immigration of Eastern and Southern Europeans and to exclude people from Asia and the Pacific Islands. Immigration policy was based on race for a long time, and it favored Northern Europeans. This didn’t change until the Immigration Reform and Nationality Act of 1965, which allowed people to immigrate if they have family members already here, or if they have skills needed by U. S. employers.

Mexicans were actually among the very earliest immigrants to Washington. When Spanish explorers came here in the 1770s, the crews on their ships were mostly Mexican. One Mexican crew member collected and catalogued over 200 species of plants, animals and birds. Another was a renowned artist who drew pictures of the Olympic Peninsula. And for many years before the railroads came to Washington, skilled Mexicans provided transportation services of “mule trains” to miners, fur traders, settlers and merchants. During World War II, Mexicans and other Latin Americans began to come to Washington in larger numbers, mostly as farm workers. Many settled in the Yakima Valley, but they soon spread to other agricultural areas, such as the Skagit Valley. Today, Latinos (including Mexicans, people from other Latin American countries, and Latinos from Texas, California and other states) are the fastest-growing and largest minority in Washington.

Before 1846, when the Oregon Territory officially became part of the United States, the only immigrants were fur traders and trappers, a few missionaries, and people who worked for the trading companies that bought and sold furs. Nearly all were single men. Some were French-speaking Canadians; a few were from Hawaii; others were British or American. A few married native women and lived with local tribes, but most left eventually.

White settlers came to Washington beginning in the 1840s. Most came from the American Midwest or the Northeast. Their migration to Oregon and Washington started as a trickle, but grew larger with every passing year – especially after 1846, when the federal government encouraged people to settle here.

African-Americans were among the earliest settlers, but the number of African-Americans was very small until the 1880s when railroads reached Washington. The population grew a lot during World War II, when many came to work at Boeing, Hanford, and in other wartime jobs. In 1880, there were 180 African-Americans in Washington; in 1890, there were just over 1,000; in 1940, there were 7,000. In 1950, after World War II, there were 30,000.

Chinese workers were recruited to help build the railroads during the 1870s. But in the 1880s, white workers who needed jobs blamed the Chinese workers for high unemployment, and there were anti-Chinese riots and killings. Many Chinese left or were driven out of the state.

Scandinavians (people from Sweden, Norway, Denmark and Finland) began to immigrate to Washington in the 1880s, and their numbers increased rapidly for the next twenty five years. Most came to the Puget Sound region, but there were also clusters of various nationalities in Spokane and in other cities and farming areas. In 1910, the population of Kitsap County was 25% Scandinavian immigrants. Some Scandinavians settled in the Puget Sound area because it reminded them of home and they could find jobs in the woods.

Japanese, Koreans, and other Asian and Pacific Island nationalities arrived in Washington during times when federal immigration policy allowed it, but there were long periods during which the U. S. government excluded them. Japanese, Chinese, Filipino and Korean immigrants were recruited to come here for jobs when their labor was needed to build railroads, work in mines, canneries, farms or logging camps, but Asian and Pacific Island immigrants were not allowed to become citizens or to own land until after World War II. After the Vietnam war, many refugees and immigrants from Southeast Asia came to Washington.

Chapter 2  The design of today’s democracy
Becoming a citizen is important because only citizens are allowed to vote, and only citizens have the absolute right to stay in this country, no matter what. Even legal immigrants who have lived here for many years can be deported if they have not become citizens. Some young people have been deported for drug charges or stealing, even though they lived legally in the U.S. since they were babies.

The role of citizens

Elections

The most basic way people in a democracy exercise political power is by voting in elections. We elect the people who represent us – the members of city or tribal councils, county commissioners, state governors and legislators, and the President and the Congress of the United States. And if we don’t like what they do, we can vote them out of office.

We also vote on specific issues. For instance, in Washington, local communities vote on how much we are willing to pay in taxes to support public schools. We also vote sometimes on special issues, like whether we want to pay extra taxes to build sports stadiums. And we vote on amendments to our state constitution.

Initiatives and referenda

In the early 20th century, people wanted to make sure that citizens kept control over our government. So even though our state government has the same checks and balances as our national government, Washington voters amended the state constitution to build in an extra check – the power of citizens to bypass the legislature, write a proposed law and have the people vote on it. This is called an initiative.

To pass an initiative, a citizen or group of citizens must get a large number of people to sign petitions asking for a proposed law to be put on the ballot. If enough people sign, the proposed law can go to the legislature, or directly to the ballot. (The number of people who have to sign an initiative is 8% of the number who voted in the last election for governor.)

If an initiative goes to the legislature, the legislature can pass it, and it becomes law. The legislature can also write an alternative measure, and put both the original initiative and their proposed alternative on the ballot of the next election. If the legislature doesn’t do anything, the initiative still goes to the voters at the next election. If a majority of people vote for it, it becomes law. (Even if an initiative passes, the State Supreme Court can throw it out if it violates the state constitution. And if it violates the U.S. Constitution, the U.S. Supreme Court can throw it out.)

People in Washington also vote on referenda. A referendum is a law passed by the state legislature, but referred to the voters. Sometimes the legislature itself refers a measure to the ballot to see if the majority of voters agrees that it should become law. But sometimes a citizen or group of citizens doesn’t like a law passed by the legislature. If they can get enough people to sign a petition, they can get the law put on the ballot. (The number of people who have to sign the petition is 4% of the number of people who voted in the last election for governor.) Then if the majority of people vote against it, the new law is thrown out.

VOTING

In the presidential election of November 2012, 133 million people, or 57%, of the voting-age population voted. That means that more than 40% of the eligible voters let someone else make important decisions for them. Only about 65% of people eligible to vote are registered to vote. Women, married people, and older people are more likely to vote. In Washington, 75% of people eligible to vote were registered in 2012, and 81% of all of those registered to vote actually did vote. So in our state, 61% of people eligible to vote did. Washington was ranked 13th in the country in voting rates.

Some reasons given by registered non-voters for not voting in the 2012 election include: too busy (19%), not interested (16%), illness or disability (14%), did not like candidates or campaign issues (13%), forgot (4%). Yikes!

One person’s opinion makes a difference

Tim Eyman, who lives in Mukilteo, thought that taxes in Washington were too high, so he organized several initiative campaigns. He raised money, made petitions, persuaded thousands of people to sign them, and got measures on the ballot to reduce taxes.

Other examples of successful initiatives

• In 1977, voters passed an initiative that removed the sales tax on food. This was an initiative directly to the people.
• In 1988, voters passed an initiative to clean up dangerous toxic waste sites. It was an initiative to the legislature. The legislature drafted an alternative, so both the legislature’s version and the original version were on the ballot. Voters chose the original version.
Candidates for public office usually ask the people who support them to donate money for their campaigns, although sometimes rich people finance their own campaigns.

(There’s more information about running for office in Chapter 5.)

The role of money in election campaigns is very controversial. In a democracy, we want everyone to have an equal chance to be heard. And we don’t want individuals, unions or corporations that have a lot of money to have more than their share of influence in an election. We don’t want our elected officials to feel that they have to vote the way their campaign contributors want them to. So we have rules about who can give, and how much they can give. And every few years, we pass more rules. But hardly anyone believes that we have found the perfect solution to this problem.

The most important safeguard we have come up with is the principle of transparency, or openness. This means that everyone should be able to find out who gave money to a political campaign, and how much. We have very strict laws that require every candidate and every campaign organization to report their contributions. A special government agency, the Public Disclosure Commission, makes this information available to the public and to reporters. (There’s more information about this on page 68.)

Still, campaign financing will always be a subject we debate, both in elections for public office, and in campaigns to pass initiatives and other ballot measures.

**Jury Duty**

Citizens also serve on juries. A jury is a group of people – usually 12 – who sit in judgment when someone is brought to court and accused of a crime. A judge conducts the trial, but members of the jury have to decide whether the accused person is guilty or innocent. (In civil cases, where one person or business is suing another person or business, juries usually have only six members.)

This is called “jury duty” because it is a duty that comes with being an American citizen.
Advocacy

Advocacy doesn’t mean that our government is perfect. But democracy’s flaws are not in the ideas that are the basis for our government; its flaws come from our failure to live up to those ideas.

American history is, in many ways, the story of the struggle of the American people to live up to the ideals set out in the U. S. Constitution. Over many years, voting rights have been extended to all citizens 18 and older, and discrimination against people because of their race or religion has been made illegal. These changes didn’t come easily. But these changes were possible because our constitution established the idea of equality as the foundation of our society.

Today, there are still ways in which we fail to live up to the ideas in our constitution. For instance, in today’s society, equality depends on everyone getting a good education. But we haven’t yet succeeded in reaching this goal. In communities where people don’t have very much money, they can’t afford to pay enough in taxes to have schools as good as those in richer communities. The result is that kids in poorer communities may not have the same opportunities to learn and succeed.

The important thing to remember, though, is that in a democracy, people have the power to change these things. It isn’t easy, and it often takes a very long time. But the history of our country – and our state – shows that progress is possible.

The Arc of Washington State is one example of people using their rights. The Arc is a private, non-profit organization started by the parents of people who have developmental disabilities. (A developmental disability is a condition such as mental retardation that occurs before age 18.) By banding together, the parents of people with these disabilities have persuaded the government to give them more help, so they can choose whether to live in their own houses or apartments. The Arc of Washington State also helps educate all people about what it’s like to have a developmental disability, and why it’s important to accept and include people with these disabilities in our schools and communities. Visit their website at: www.arcwa.org

Advocates rally to support the Fircrest Bill, which would help use funds for more community-based services for people with developmental disabilities.

Now people with developmental disabilities are more active in their communities, thanks to hard work by citizen advocates.
The State We’re In: Washington - Chapter 2

Getting the Facts (please answer each question in a complete sentence or sentences)

1. Who holds the power in a democracy? How do they control government?
2. List the three branches of government. What does each branch do?
3. Give one example of how each branch has its power limited by another branch of government.
4. What is the purpose of our Constitution?
5. What is the “rule of law?” How does it protect people?
6. What is federalism? What is the general idea of who would make the rules?
7. Why do people say we are a nation of immigrants?
8. List three reasons why immigrants come to this country?
9. Name two of the groups of people who immigrated to Washington.
10. What is an initiative? Why do citizens want this power?
11. What is a referendum?
12. How do the people in a democracy have the power to change things?

Understanding the Facts (please choose only 2 questions and answer in complete paragraphs)

1. Why is the constitution important for our democracy?
2. Explain why it is good (or not good) to have a government of laws rather than by men.
3. What is majority rule? How are the rights of the minority protected?
4. Why are elections important to a democracy?
5. Describe three contributions immigrants have made to Washington State?
6. Does transparency make the election process more democratic? Why or why not?
7. It is said that in a democracy people have the power to change things. How can they make changes? Why is this an important power?
8. How can you as an individual participate in a democracy?
Creating Washington’s government

Starting in the 1840s, settlers from the East and Midwest began to come to the Oregon Territory in search of land to farm, adventure, and the opportunity to create new communities. At first, just a few came, but after 1846, when Britain gave up its claim to this area and the Oregon Territory became an official part of the U. S., the number of settlers multiplied every year. Most of them settled in the Willamette Valley, and they established Salem as their capital.

The Medicine Creek Treaty and the story of Leschi and Quiemuth

In late 1854, Governor Stevens gathered some settlers, U. S. government officials, and Indians from various tribes around the south end of Puget Sound at a place near Nisqually called Medicine Creek. He wanted the Indians to sign the treaty right then and there, and he didn’t want to give them time to talk about it with the people back in their villages. Most of the Indians didn’t want to sign, but they didn’t feel they had a choice, because the U. S. army had a lot of men with guns. Enough of the Indians signed (or made Xs next to their names) to make the treaty official. The treaty meant that the Indians had to go live on the reservations that Stevens assigned to them.

The Nisqually and Puyallup Indians were upset by the reservations they were assigned to, because it was on hard, rocky ground, far from the rivers where they had always fished. Two brothers, Leschi and Quiemuth, went to Olympia to try to correct this, but they were labeled “trouble makers” and threatened with arrest. They fled into the foothills of Mt. Rainier. A group of settlers went off to find them.

While the settlers were searching for Leschi and Quiemuth, two U. S. soldiers were killed, and some Indians attacked settlers. Some people blamed Leschi for this, even though others said he was not in the area when these things happened. For ten months, there was fighting between Indians and whites. Then Governor Stevens called for a Peace Council, and promised to create better reservations. When Leschi came to this gathering, he was arrested. Quiemuth also surrendered. Quiemuth was murdered while he was in custody, and no one was ever arrested for this.

Leschi was tried for the murder of one soldier. The jury could not come to a decision, and many people insisted he was innocent. A second trial was held, and this time he was declared guilty. He was hanged on February 19, 1858.

Many people – both Indian and settler – were deeply sorry that this happened, and angry that someone they regarded as a great man had been the victim of such a terrible injustice.

In 2004, 150 years after the Medicine Creek treaty was signed, the Washington state legislature passed a memorial calling on the state Supreme Court to acknowledge that Leschi’s conviction was an injustice. The memorial also called on the public schools to teach young people the truth about this part of our state’s history.
From tribal lands to territory to Washington state — the story in maps

The large map, drawn in 1854, shows what early explorers knew about Washington’s land and tribes. The maps below show how the borders of Washington changed when it became a territory in 1853, when Oregon became a state in 1859, and again when Idaho became a separate territory in 1863. The borders established in 1863 stayed the same when Washington became a state in 1889.

Can you read this older-style handwriting?
This is what we think it says:
Note: From the dividing ridge of the Rocky Mountains to the Western limit as marked on this map, the country is closely packed with mountains and heavily timbered with probably every species of pine; the rivers flowing in deep and narrow valleys interspersed with open prairies.
The map is compiled from the incomplete data of the N.P.R.R. E & T (?) which when complete may show some slight differences, but none that can affect the value of this copy for general purposes.
By permission of Gov. I.I. Stevens (signed) Jno Lambert, Draughtsman
Traced from Mr. Lambert’s original map by
Gen. (Geo?) W. Stevens
George Washington Bush was among the first settlers who, in 1846, helped found the community that eventually became our state’s capital. He was a free African-American who had been a very successful farmer in Missouri. He and his Irish-American wife, Isabella, decided to move to the Oregon Territory to escape from the racial prejudice of the South. However, when they arrived in Oregon, the Territorial Legislature had just passed a “Lash Law” that subjected any African-Americans or other people of color to being whipped if they tried to settle there. So the Bush family and the friends they were traveling with decided to come north of the Columbia River, where the laws were not enforced. The Bush family settled on what is now called Bush Prairie, just south of the present-day city of Olympia. Local tribes and the Hudson’s Bay Company helped the settlers survive their first winter. In the years that followed, the Bush family was famous for generosity to their neighbors and to new settlers, and for their hard work and skill at farming. Isabella was a nurse, and her medical knowledge was of special value to both settlers and Indians. The federal government gave white settlers land, but excluded people of color. So when the first Washington Territorial Legislature met in 1854, they passed a resolution asking the federal government to make an exception for the Bush family. In 1855, the U. S. Congress passed “An Act for the Relief of George Bush, of Thurston County, Washington Territory,” granting this request. George Bush’s son, Owen Bush, was elected to the Washington legislature in 1889. He introduced the legislation that created the college that is now known as Washington State University in Pullman.

But some came to what is now western Washington, and by 1851, they were campaigning to make the land north and west of the Columbia River a separate territory. From the new settlements in Seattle and Olympia, it took at least three days to get to Salem, and people didn’t feel the Salem government really represented them. So the settlers in what is now Washington called meetings, published newspaper articles, and asked Congress to declare the area north and west of the Columbia River a separate territory. In 1853, their wish was granted, even though there were only about one thousand settlers north of the Columbia. Congress also made the territory much larger than they had asked by adding land to the east of the Columbia River (see maps).

In 1854, U. S. President Franklin Pierce sent Isaac Stevens to be the governor of Washington Territory. Territories were controlled by the federal government, so the governor worked for the President of the United States.

The President wanted Isaac Stevens to negotiate treaties with all the Indians who lived in the Washington Territory. The purpose of the treaties was to persuade the Indians to give up most of their lands, so that more white settlers could come and live here, and so that the federal government could grant them clear ownership of the land. From 1854-1856, Isaac Stevens traveled all over the state, and persuaded tribes to sign treaties in which the Indians promised to live on reservations, which were specific pieces of land reserved for them. In many cases, this meant the tribes had to relocate; that is, they had to move from where they usually lived. The tribes were promised small payments for the land they gave up, and they were promised that they could continue to fish, hunt, and gather in their “usual and accustomed places.” They were also promised government services such as health care and education.

The white people who wrote the treaties thought that Indians should settle down, learn how to farm, and live like white people. This didn’t make much sense to the Indians, who had been fishing, hunting, and moving around freely for thousands of years. Isaac Stevens and the people who worked for him didn’t know very much about the Indians and their way of life, and they didn’t take the time to learn, because they were in a hurry to get treaties signed and get all the Indians grouped together on reservations.

There were brief wars between some of the Indians and the federal government over the terms of the treaties. The federal government won.

Within the next few decades, Washington began to fill up with settlers. These settlers wanted Washington to become a state, because then they could form their own state government instead of having a governor appointed by the President.

Writing Washington’s constitution

In 1889, 75 men were elected to go to Olympia to write a state constitution. For Washington to become a state, a constitution had to be written and voters had to approve it.
State constitutions are similar to the U. S. Constitution, but not exactly the same. Like our national Constitution, state constitutions set up the basic organization of government and spell out the rights of citizens. They are the foundation on which government is built. But state constitutions are usually more specific, and have more detail. For instance, our state constitution describes certain services that state government must provide – schools, prisons, and state institutions to care for people who have certain disabilities. The federal Constitution doesn’t say anything about what services our national government must provide.

State constitutions can also differ from our national constitution in the rights they give to citizens. For instance, Washington’s constitution has stronger protections of people’s privacy, our right to own guns, and stricter separation between religion and government.

Among the people (called delegates) who wrote our constitution there were 22 lawyers, 19 farmers or ranchers, nine storeowners or bankers, six doctors, three teachers, and three miners. There were no women in the group because women didn’t have the right to vote, except in elections for local school boards. There were also no Indians. At that time, Indians were considered citizens of Indian nations, not citizens of the United States. There were also many Chinese immigrants in Washington, most of whom came here to work in the mines and help build the railroads, but they weren’t allowed to become citizens, so they weren’t represented either.

Starting on the 4th of July, 1889, the 75 men set to work. They didn’t start from scratch. They copied parts of the constitutions of other states, and some sections from an earlier draft of a Washington state constitution that had been written in 1878.

**Suffrage: the right to vote.**

This is a very confusing word, because it sounds like it’s related to “suffer,” but it’s not. It comes from the Latin word suffragium, which also means the right to vote. To make it even more confusing, a suffrage can also be a kind of prayer – but that meaning seems to have fallen out of use. Another mystery about the word suffrage is why it’s almost always used in connection with women’s right to vote, but rarely in discussions of other people’s right to vote.

**Big Debates**

They had big debates about many issues. For example, they had a long argument about whether the constitution should give women the right to vote. Some thought women should be allowed to vote, but they were afraid that if they said so in the constitution, the voters would reject it, and that would delay Washington becoming a state. Others didn’t want women to have the vote because they were afraid women would vote to outlaw alcohol. Companies that made beer and whiskey lobbied to keep women from getting the vote. In the end, the writers of the constitution decided not to put women’s suffrage in the constitution. They put it on the ballot as a separate measure, and it was defeated by the all-male voters.

The delegates who wrote the constitution also argued about the power of railroads and other big companies. The opening of the railroads in the early 1880s caused a huge population explosion. Railroads opened the state to more settlement, and made it possible for the farmers and ranchers in Eastern Washington to get their products to market. But many farmers and ranchers were angry at the prices the railroads charged. A lot of people also thought the federal government had given away too much public land to the railroads, and that the owners of the railroads and other big companies had too much power and influence over government.

People didn’t want the railroads and other big businesses to get control of our state government. So the drafters of our constitution included several things to try to prevent...
A Quick History of Voting Rights

1776 When the U. S. first became an independent nation, state governments decided who could vote. In most states, only white males who owned property were allowed to vote; in some instances, widows who owned property were allowed to vote, too.

1855 By 1855, all the states had dropped the requirement that voters own property, so all white males could vote.

1868/1870 In 1868, the 14th Amendment to the U. S. Constitution recognized the citizenship of all African-Americans, and gave male African-Americans the right to vote. The right to vote was made explicit in the 15th Amendment. (Still, voting rights were denied to African-Americans in spite of these amendments.)

1890/1920 In 1890, Wyoming became the first state to give women the vote. In 1910, Washington became the fifth state to grant women the vote. Washington’s action recharged a nationwide campaign for women’s suffrage. Ten years later, the 19th Amendment to the U. S. Constitution gave all women the right to vote.

1924/1950s In 1924, the U. S. Congress passed the Indian Citizenship Act, giving U. S. citizenship to all Native Americans. But, it wasn’t until the 1950s that Indians were able to vote in all states.

1943/1952 For the first time, in 1943, Chinese-Americans were allowed to become citizens, and to vote. For people from India, citizenship was allowed starting in 1946; for Japanese-Americans and people from other countries in Asia, eligibility for citizenship was finally granted in 1952.

1964 The 24th Amendment to the Constitution, adopted in 1964, prohibits states from charging a “poll tax” (a requirement that people pay to vote) that was mainly intended to exclude African-American voters.

1965 The Voting Rights Act was passed by the U. S. Congress, finally ending state practices designed to exclude African-American voters.

1971 The 26th Amendment to the U. S. Constitution lowered the voting age to twenty-one.

2013 A U. S. Supreme Court decision weakened the Voting Rights Act. It stopped federal oversight of states that had a history of discrimination in their voting laws. This. They made it illegal for state government to loan money to private companies. They even forbade elected officials from accepting free railroad passes. They insisted on strict separation between private business and state government.

They also had big debates about what to do with the 2.5 million acres of land that the federal government gave to the state. Income from logging and other uses on some of this land was supposed to be used to fund schools and other public buildings. In other states, public lands had been sold off to business owners for a tiny fraction of their real value. People in Washington didn’t want that to happen here, so they wrote a strong statement that public lands must never be sold for less than they were worth. (It worked. Today, Washington’s state government still owns millions of acres of land, and logging and other activities on that land raise money to help pay for building schools and maintaining our state capitol.)

The biggest arguments, though, were over what to do about tidelands. A lot of businesses had already been established on tidelands. For instance, Henry Yesler had established a sawmill on the tidelands in Seattle. After a lot of debate, it was decided that the state would continue to own the tidelands, but would lease some of them to private businesses. (At the time, the writers of the constitution didn’t think about the fact that tidelands were part of the “usual and accustomed places” that Indians had been promised rights to fish and gather clams and oysters.)

People’s distrust of powerful businesses also influenced the way our state executive branch is organized. The writers of our constitution wanted more than the separation of executive, legislative, and judicial branches of government. They wanted to disperse...
power even within the executive branch, so that no one official would have too much power. They had seen how easily public officials could be corrupted by wealthy business owners, and they wanted to make sure that our government was honest and accountable to the voters. That’s why they created an elected Commissioner of Public Lands to protect the legacy of state-owned land. And that’s why we have nine separately elected statewide officials in our executive branch.

Agreement about education

But while the writers of the constitution disagreed about many things, there was one area where they all agreed: education. In fact, the most famous part of Washington’s constitution is this statement:

“it is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.”

No other state has such a strong constitutional statement about the importance of public schools. Because this is such a strong statement, courts have ruled that our state legislature has to provide all public schools with enough money to pay for all students’ “basic education.” It’s up to the legislature to define what “basic education” is. (People argue about this often, because what’s “basic” changes over time. For instance, computer skills are basic to everyone’s education now, but they weren’t 25 years ago.)

The result of Washington’s definition of education as the state’s “paramount duty,” is that schools in Washington get most of their funding from the state government. In many other states, schools get most of their funding from local governments.

Also, our constitution says we must educate all children “residing” in Washington – not just those who are citizens. Originally, this was meant to protect (among others) the children of the Chinese immigrants. Today, it makes it clear that immigrants from any country can go to our public schools.

Statehood

The writers of our constitution finished their work, an election was held, and the voters passed the new constitution. Then it was sent off to Washington, D. C. There was just one problem: the governor forgot to sign it. So it had to be sent back to Olympia, signed, and sent back (by train) to the nation’s capitol. Finally, on November 11, 1889, Washington became the 42nd state.

Amendments

It takes two steps to amend (change) any part of our state constitution. First, both houses of the state legislature have to pass a proposed amendment by a two-thirds majority. Second, the amendment has to be put on the ballot and passed by voters by a simple majority at the next general election. As of 2004, the constitution had been amended 96 times.
One of the most important amendments to the constitution was passed in 1912, when the initiative and referendum were added to the section on the legislative branch of government. (See page 26 for more on this subject.)

In 1972, another amendment was passed to ensure equal rights for women. It reads “Equality of rights and responsibilities under the law shall not be denied or abridged on account of sex.” This is called the Equal Rights Amendment, or ERA. It was proposed as an amendment to our national constitution, too. But an amendment to our national constitution has to be passed by Congress and ratified (agreed to) by the legislatures of 38 states, and the national ERA never quite achieved that goal. This is an indication of how much more difficult it is to amend our national constitution than our state constitution.

Another interesting amendment was passed in 1988. Our original state constitution said we should have institutions to care for “the blind, deaf, dumb or otherwise defective youth” and the “insane and idiotic.” That language was considered normal at the time, but today we think it’s mean and insulting. Ralph Munro, who was our Secretary of State for many years, worked to pass a constitutional amendment to change it. He succeeded, and now it reads “youth who are blind or deaf or otherwise disabled”; and “persons who are mentally ill or developmentally disabled.”

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**Washington State Symbols**

**Nickname:**
The Evergreen State

**Tree:**
Western Hemlock

**Flower:**
Coast Rhododendron

**Grass:**
Bluebunch Wheatgrass

**Arboretum:**
Washington Park Arboretum

**Fruit:**
Apple

**Bird:**
Willow Goldfinch

**Fish:**
Steelhead Trout

**Animal:**
Roosevelt Elk

**Insect:**
Common Green Darner Dragonfly

**Fossil:**
Columbian Mammoth of North America

**Gem:**
Petrified Wood

**Ship:**
“President Washington”

**Motto:**
“Alki”, meaning bye and bye

**Song:**
“Washington, My Home”
by Helen Davis

**Folk Song:**
“Roll on Columbia, Roll on”
by Woody Guthrie

**Dance:**
Square Dance

**Colors:**
Green and Gold

**Tartan:** (Tartans are special plaid patterns that usually represent a particular family in Scotland.)
The green background represents rich forests; the blue perpendicular bands reflect lakes, rivers and ocean; white is for snow-capped mountains; red for apple and cherry crops; yellow for wheat and grain crops; and black for the eruption of Mount St. Helens.
The State We’re In: Washington - Chapter 3

Getting the Facts (please answer each question in a complete sentence or sentences)

1. Why did people come to the Oregon Territory in the 1840’s?
2. Where did most of them settle? What was the capital
3. List three reasons Washington wanted its own territory. When did they get it?
4. Who was Isaac Stevens? What did the President want him to do?
5. What promises were made to the Indians if they would sign the treaties?
6. What had to happen in order for Washington to become a state?
7. In what ways are national and state constitutions the same?
8. What is the main difference between a state and a national constitution?
9. What groups of people wrote the constitution? What groups were not allowed to participate?
10. Your text mentions six big debates over the constitution. List each one using just a few words.
11. How is our state Executive Branch organized?
12. What must the state do for the education of its children?
13. When did Washington become the 42nd state?
14. What two steps are necessary to amend the state constitution?

Understanding the Facts (please choose only 2 questions and answer in complete paragraphs)

1. List the three reasons why early motivated settlers would go the Oregon Territory. Give at least two additional reasons why people in the East would take the risk of that long journey.
2. What problems do you think the distance from Seattle/Olympia to Salem would create for settlers in Washington?
3. For what purpose did Isaac Stevens negotiate treaties with the Indians? Why did the tribes sign the treaties?
4. What are the differences between a state constitution and a national constitution?
5. What is the importance of Washington State’s tidelands?

6. Why do we have nine separately elected state-wide officials in our Executive Branch?

7. No other state has such a strong statement in its constitution about education. What are Washington State’s responsibilities for education?

8. How can the state constitution be amended? Why might it be important to allow for an amendment process?
Governing Washington today may be more complicated than it was a hundred years ago, but the basic structure of our government is still the same. Our form of government has been flexible enough to change with the times, and stable enough to prevent change from being too sudden or extreme. That’s mainly because our national and state constitutions have provided a strong foundation that has stood the test of time. The basic ideas in our constitutions – regular democratic elections, separation of powers, the rule of law, and clearly defined rights and responsibilities for citizens – have become deeply ingrained in our way of life.

The founding principles and practices in both our state and national constitutions are reflected in today’s state government.

The legislature

The legislature has two halves – the House of Representatives, and the Senate. Our national government’s legislative branch is organized the same way, so sometimes people get confused about which Senate is the U. S. Senate, and which one is the state Senate. There’s a big difference!

The U. S. Senate and the U. S. House of Representatives make laws for the whole United States, but our state Senate and House of Representatives make laws only for the state of Washington.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

RCW 42.30.010, a portion of the law known as the “Open Meetings Act,” passed by the legislature in 1971.
Our state is divided into 49 legislative districts. The people in each of these districts elect one state senator and two state representatives. State senators serve for four year terms, but representatives are elected every two years.

Making the Laws

The state legislature meets every year beginning in January. Every other year, they must agree on a two-year state budget. This two-year period is called a biennium. In the year when they must agree on a biennial budget, the legislative session lasts longer—usually 105 days. In the second year of the biennium, the legislative session is shorter, and usually ends after 60 days. Sometimes legislators don’t finish their work in this amount of time. When this happens—or when an important issue comes up at other times of the year—they have special sessions that can last anywhere from one to 30 days.

Both the House and the Senate divide into committees, and each committee studies proposals to change the laws in a specific area. There are Senate and House committees on public schools, transportation, health and human services, agriculture, local government, energy, trade and economic development, the environment, and other topics.

Kids as legislators, trial lawyers, and legislative staff

If you want to know what it’s like to be a state legislator, the YMCA Youth and Government program is just for you. Students meet for several months to learn how to research and develop legislation, and then hold a four-day mock legislative session in Olympia. Each student assumes the role of a house member, a senator, or a state elected official such as governor or secretary of state.

The YMCA also has a program for kids who are interested in the law. Teams of students prepare a mock case for trial, and act as attorneys and witnesses. A real judge, in a real courtroom, hears their case, and a “jury” of real attorneys rates teams for their presentation.

If you’re interested in either of these programs, contact your local YMCA. Another way for students to learn about the legislature is to apply to be a page. A page is a student (age 14-17) who works for the Senate or House of Representatives in Olympia for one week during a legislative session. Pages deliver messages and do other duties, and also participate in special classes where they learn how the legislature works. If you’re interested in applying to be a page, contact one of your two house members or your senator.
Our state is divided into 49 legislative districts, and the people in each of these districts elect one state senator and two state representatives. State senators serve four year terms, but representatives are elected every two years.

When a legislator wants to write a new law or change an existing law, he or she introduces a bill that spells out what should be changed. First the bill is sent to a committee, where committee members study it. The committees hold public hearings on bills so that citizens and lobbyists can say what they think about it. The committee may also change the bill. This is called amending it. If the bill will cost money, it goes to a special committee that writes the budget. Then the bill goes to the full House or Senate. If the House votes to pass the bill, then it goes to the Senate; when the Senate passes a bill, then it goes to the House. Bills can be amended in the full House and Senate, too.

Both the Senate and the House have to pass a bill with exactly the same wording before it can become law. If they have different versions of the same bill, they have to work out the differences, and then vote on it again.

After both the House and the Senate pass a bill, it goes to the Governor. He or she can either sign the bill into law, or veto it. (There’s more about this in a few pages, when we get to the section on the Executive Branch.)

As you can imagine, it’s not easy to get a bill passed through this long and complicated process. And even when legislators do get a bill passed, they still have to persuade the governor to sign it before it can become law. In fact, this system is purposely designed to make it pretty difficult to pass a new law, because it’s important for people to take their time and think carefully about the laws they are making. It’s also important for the public to have time to hear about bills, and tell their legislators how they want them to vote.

In spite of this complicated system, hundreds of bills pass and become law during every legislative session — and most of them pass with bipartisan support. In spite of the strong role of political parties, there are a lot of bills that people in both parties agree on.

Political parties in Washington

The two main political parties are the Democrats (www.wa-democrats.org) and the Republicans (www.wsrp.org). However, there are many other political parties, too. The Secretary of State’s office has a list of them on its web site at www.secstate.wa.gov

The list includes the Libertarian Party, the Reform Party, the Constitution Party and the Green Party, among others, and information about how to contact them. Most political parties have web sites.

Bipartisan: supported by members of two political parties; in our case, this means supported by both Republicans and Democrats. (“Bi” means two; “partisan” means someone who supports a particular cause or political party.) So “a bipartisan solution” would be one supported by both Republicans and Democrats.
How an idea becomes a law:

1. Someone has an idea – they think a new law should be made, or an existing law should be changed. The person who has the idea might be the governor or some other elected official, or it might be a business or union leader or any other ordinary citizen.

2. The legislator who is going to introduce the proposed law or change (called a bill) asks someone on their staff to write a first draft. Usually, the draft is reviewed by the people who asked the state legislator to introduce it. Sometimes other people who have an interest in the topic are asked to review it, too, and to say whether they think it can get enough votes to pass. A bill may be revised many times before it is ever introduced.

3. Once a bill is drafted, it goes to the Code Reviser’s office, where people who are experts on Washington law go over it. They make sure it is technically correct, and decide where it would fit in to the Revised Code of Washington — the body of laws of our state.

4. The legislator who is going to introduce the bill may pass it around to other legislators to see if they want to be co-sponsors. Then the bill is introduced in either the House or the Senate, and referred to a committee. For instance, all bills that will affect public schools are sent to the Education Committee; all bills dealing with roads go to the Transportation Committee, and so forth.

5. The committee chair decides whether the committee will consider the bill. If the chair chooses to, he or she schedules a public hearing on the bill. A public hearing is a meeting where anyone can come and tell the committee what they think about the bill. Then the committee discusses it. They may decide to amend (or change) it. Then they vote to either send it to the full House or Senate for a vote, or to kill it.

6. Even bills that pass out of committee don’t always get voted on by the full House or Senate. The Rules Committee decides which bills will be voted on, and when. At this stage, legislative leaders may decide to hold off on voting on a bill while people try to resolve any arguments they have about it. They rarely bring a bill up for a vote until they know that enough people agree on it for it to pass the full House or Senate.

7. Finally, a bill that has cleared all these hurdles comes up for a vote in the full House or Senate. If it passes, then it starts the whole process over again in the opposite house. Once again, it is introduced, referred to a committee, discussed in committee, referred back to the Rules Committee and then to the full House or Senate. It can be amended along the way. If the House and Senate pass versions of the bill that aren’t exactly the same, they have to work out the differences and pass the bill over again.

8. When a bill has passed both the House and Senate, it goes to the Governor. The Governor can sign it into law, or veto it. If the Governor vetoes it, both the House and the Senate can override the veto if they pass the bill by a two-thirds majority. When the Governor signs a bill into law, there is almost always a special ceremony. The Governor invites the people who worked to pass the law to her or his office. They all have their picture taken together, and the Governor gives one of them the pen that he or she uses to sign it.

The legislature’s biggest job:

The state budget: the state budget and taxes

The state budget is very complicated. There are many different sources of money, and it gets put in many separate accounts. The main budget – called the operating budget – is used to keep schools, colleges, prisons, and state agencies running. There is also a capital budget for building new buildings, and a transportation budget for building highways, bridges, public transit and ferries. There are also many dedicated funds – these are special accounts for a specific purpose. For example, there is a dedicated fund for cleaning up oil spills, and the money for that fund comes from a tax on oil that is refined or transported through our state.

Most of the money in the state budget comes from taxes paid by people who live, work, and shop in Washington. When we buy things, we pay sales tax. If we own property, we pay property taxes. Businesses also pay various kinds of taxes. Some money also comes from fees for things like fishing and hunting licenses.

Every two years, there are lively debates about how much to spend for public schools, colleges and universities, social and health services, and protection of the environment, among other things.

There are equally lively debates about whether to raise or lower taxes, and whether to change the kinds of taxes that people and businesses pay.

The Role of Political Parties

Political parties have a lot to do with how the legislature works. In both the House and the Senate, the political party that has the most members – the majority party – has more power. The majority party’s leaders choose who will chair each of the committees. Committee chairs are almost always members of the majority party. This is important because the committee chair decides which bills the committee will study and vote on. If the committee chair doesn’t like a bill, he or she can simply decide not to bring it up in committee.
The majority party also gets to choose who will be the chair for meetings of the full House or Senate. In the House, the person in charge is called the Speaker of the House. The Senate is a little bit different: the Lieutenant Governor is the presiding officer of the Senate, and leads the Senate through the process of voting on bills. But the Senate Majority Leader – the leader of the majority party – is the most powerful person in the Senate, because he or she (along with other top leaders of his or her political party) controls who is assigned to chair and sit on committees, and what bills will come up for a vote.

In both the House and the Senate, political parties have **caucuses** – that is, all the representatives or senators of one party meet to discuss specific issues or bills, and to decide how to vote on them. No one else is allowed to come to these meetings.

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**When is a majority enough?**

Most of the time, democracy operates on the principle of majority rule. That means decisions are made by a “simple majority” of 50% plus one (or more). But our state constitution says that some decisions need more than a majority. If the legislature wants to amend the constitution, it requires a 2/3 majority of the legislature – that is, a yes vote by 2/3 plus one (or more) members. A constitutional amendment then goes to the voters, who must approve it by a simple majority.

The constitution also says that certain other decisions require a 60% vote by the legislature. Increasing the state debt for construction projects is one example; expanding gambling is another.

An initiative passed by the voters in 2010 required a 2/3 vote of the legislature to raise taxes, but it was thrown out because it tried to set this requirement in an ordinary law. The court ruled that the only way to create such a requirement would be to amend the constitution. So far, the legislature hasn’t passed a constitutional amendment to do this.

If a 2/3 majority is required, it means that there is really strong support for whatever is being passed. But it also means that a minority of only 1/3 plus one can control the outcome. This is why it’s important to restrict supermajority requirements.

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**We pay taxes to the federal government, to state government, and to our local governments.**

The charts on this page show where our STATE government gets its money, and how the money is spent. The chart on the left shows that just under half of the money to run state government comes from taxes we pay to the state. In the same chart, you can also see that about 28% of our state budget is actually money from the taxes we pay to the federal government. The federal government sends some of our tax dollars back to state and local governments for certain purposes. The federal government sends this money with “strings attached,” which means that the state has to abide by federal rules about how the money is spent. In some cases the state has to “match” the federal money. For instance, in the Medicaid program for long term care and people with disabilities, the federal government pays about half the cost and the state pays the other half.

In the chart on the right you can see the biggest part of the budget is spent on public schools, colleges, and universities. Most of the spending on human services is for people who are elderly, those who have physical or mental disabilities, children, and people who need help to overcome poverty.

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**Where state government gets its money**

- Federal funding: 28%
- State share of property taxes: 5.6%
- Sales tax: 22.8%
- Business & occupation tax: 9.5%
- Licenses, permits & charges for services: 18.5%
- Borrowing: 6.2%
- Other taxes: 5.5%
- Other sources: 3.9%
- Natural resources: 4.6%
- Governmental operations: 7.4%
- Interest on debts: 5.1%

**How the state spends its money**

- Public schools: 21.7%
- Colleges and universities: 15.6%
- Human services: 11.9%
Nothing is more basic to all life than water. Without it, we would die in just a few days. But as our population grows—and as our farms, ranches, and orchards grow—the demand for water has become a big problem. Over two-thirds of the electricity we use comes from the dams that have been built across our rivers. Some of the dams were originally built to provide water for irrigation. These dams made a lot of the agriculture in Eastern Washington possible. Today, their role as producers of electricity is also vital. However, some dams—like the Grand Coulee Dam—block the passage of fish from their spawning grounds to the sea. The dams also ruined many traditional Indian fishing places. It is extremely difficult to settle conflicts over water. The state grants water rights—the right to drill wells or take water from a river. The state has to be careful not to grant too many water rights, or the rivers and wells will run dry. But people get very angry if they have to wait a long time for a permit to drill a well, or if they are told they can’t.

The federal government built many of the dams, so it is involved in the debates about water, too. Indian tribes also have important legal rights to water on reservations. And federal laws to protect wild salmon say that we have to have enough cold, clean water in the rivers and streams to protect salmon from dying out. There just aren’t any easy answers to these conflicts. As our state’s population grows, these disputes will become even more difficult.

Federal, tribal, state and local governments will all have to work together to find solutions, and even then, no one is likely to be fully satisfied.

Who owns the water?

Washington’s capitol building in Olympia was the last state capitol building to be built with a rotunda, a round building with a dome.

Legislative Staff

As Washington has grown, the number of people who work for the state legislature has grown, too. Both the House and the Senate have experts to advise them about the complicated state budget, and about issues such as the environment, transportation, and public safety.
The public’s right to know

Disclosure: to reveal or expose something that was unknown or secret; for instance you could disclose what’s in a box by taking the lid off. In discussions about government, when people talk about “public disclosure” they are talking about making sure the public can see what’s going on, rather than having things hidden from view. The term “transparency” is used to mean the same thing. (“Transparent” means you can see through something; a window, for instance, is transparent.)

Washington’s Public Disclosure Commission
In 1972, the Coalition for Open Government wrote an initiative to let the public in on some secrets — namely, where politicians and lobbyists got their money, and how they spent it. The initiative required all candidates for office to report where their personal income came from, and who gave how much to their campaigns. It also required lobbyists to report where they got their money, how much they spent, and what they spent it on. The initiative passed. In 1973, the initiative resulted in the creation of the state Public Disclosure Commission. Now candidates for office and lobbyists have to file reports so the public can see who’s supporting whom, and who’s lobbying for what. You can read their reports on the PDC web site at www.pdc.wa.gov.

and education. Part of the staff is non-partisan; that is, these staff people are not allied with either political party, and they work for all the legislators. But the party caucuses in the Senate and the House also have their own, partisan staff that is loyal to the caucus they work for.

There are also staff people who publish all the schedules of committee meetings, distribute all the bills that are introduced, and keep records of everything.

The part-time legislature
Being a state senator or representative is a part-time job, because the legislature usually meets for only two or three months a year. Most of our state legislators have regular jobs, or run their own farms or businesses, and take time off to go to Olympia for the two or three months when the legislature is in session.

The people who wrote our state constitution wanted it this way, because they thought people who worked at regular jobs would make better laws — laws that really served the needs of ordinary people like themselves. They didn’t want to create a separate profession of politicians; they wanted the legislature to really be “of the people, by the people, and for the people.”

It’s getting harder, though, for state legislators to keep their regular jobs while they are serving in the legislature. Over time, as the state’s population has grown and our society has become more complex, the work of making laws for the state has grown, too. It takes more and more of legislators’ time to attend longer sessions of the legislature, to go to committee meetings that are held in between sessions, and to learn all they need to know about complicated issues. It also takes time to run campaigns so that they can get elected or re-elected.

Legislators are paid about $45,000 a year — and they get extra money for transportation and living expenses when they travel to special meetings and to regular legislative sessions. Some legislators live on this amount of money; many still have other jobs as well.

How state legislators are elected
Ordinary people can run for and get elected to the state legislature. Since there are only about 120,000 people in a legislative district, campaigns for the legislature are usually pretty low-budget, local affairs. The main ways candidates try to get people to vote for them are:

Doorbelling – this means the candidate walks up to people’s houses or apartments, rings their doorbell, and tries to chat with residents about why they should vote for the candidate. Sometimes candidates get their friends to doorbell for them, too.

Candidate forums are public meetings where all the candidates for office are invited to give speeches about why they are running for office, and to answer questions from the audience. These are often carried on local TV stations.

Yard signs are used to make sure everyone knows the candidate’s name, and to show that a lot of people are supporting them.

News coverage in local newspapers, and sometimes on radio or TV stations, helps candidates become better known to voters.
Fundraisers are like parties; the host invites a lot of people, and provides snacks and drinks. The candidate comes and “works the room,” that is, he or she goes around meeting people, shaking their hands, and chatting with as many of them as possible. Then the candidate gives a little speech about why he or she is running for office, and what he or she intends to do if elected. Finally, the host asks everyone to contribute to the candidate’s election campaign fund, work on their campaign, and to vote for them.

Mailings of brochures about the candidate are sent – usually only to registered voters – in the candidate’s district. In many campaigns, writing, designing, printing and mailing these brochures is the most expensive part of the campaign.

In the 1980s, people worried that students in public schools weren’t learning enough. A high school diploma just didn’t mean very much, because many graduates didn’t have the reading, writing, or math skills they needed to get good jobs or to be good citizens.

In 1993, the legislature passed a major school reform act that set academic standards that all students should meet to graduate from high school. Tests were developed to see if students met the standards. The first tests were called WASLs. They were long and thorough tests that included quite a bit of writing. Some teachers and parents complained that the tests took up too much time, so now there are shorter tests. There are also national rather than state academic standards for reading and math.

Now there are debates about how to use the test results, and whether we are testing students too much, too little, or the right amount. Should teachers be judged by how well their students do on the tests? What should we do about schools that have bad test results year after year? What should happen for students when they don’t pass the tests?

These are questions that teachers, principals, school leaders and legislators continue to wrestle with. The goal is, as it’s been for many years, to create a school system where all students can learn and thrive, and prepare for success in their adult lives.

Endorsements are like sponsorships from unions, business associations, or advocacy groups like environmental or civil rights organizations. When an organization endorses a candidate, they urge all their members to vote for that person, and they usually contribute money to the candidate’s campaign.

Paid political advertising in newspapers, or on radio or TV, is becoming a larger part of legislative campaigns. Because it is so much more expensive than any of the other ways people campaign, it is driving up the cost of running for the legislature.

People complain that these campaigns are getting more expensive to run, but compared to statewide or national political campaigns, they will always be small potatoes. Running for the state legislature is still within the reach of any ordinary citizen who has a reputation for caring about their community, and enough friends and supporters to help them run a good campaign. Often, people don’t get elected the first time they run, but if they keep trying, and more people get to know them, they succeed on their second or third try.

Most (but not all) of the people who run for the legislature have some previous experience in government. They may have served on a local city council, or been active in local school committees or other candidates’ political campaigns.

Usually, people get elected to the House of Representatives first, and then run for a state Senate seat a few years later, when they are more experienced. Moving from the House to the Senate is considered a promotion because there are twice as many members in the House of Representatives as there are in the Senate. (One senator per legislative district = 49 senators; two representatives per legislative district = 98 members of the House of Representatives.) In the Senate, where there are only half as many voting members, each vote carries twice the weight. People also prefer to serve in the Senate because Senators only have to run for re-election every four years rather than every two years.
Many state legislators also go on to run for local offices that are full-time jobs, such as county commissioner or (in bigger cities) city council members. Others run for higher offices such as Governor, Lands Commissioner, State Supreme Court Justice, or U. S. Representative or Senator.

The Executive Branch

Washington’s executive branch is different from many other states’. In most states, the governor is one of three or four state elected officials, so he or she has a lot of power. In Washington, the governor is one of nine statewide elected officials. (The reason for this is explained in the section on the state constitution in Chapter 3.)

But while Washington’s governor may have less power than governors in most other states, our governor still has a lot to do. The governor writes the first draft of the state budget, and sends it to the legislature. The governor has a big influence on the legislature, because he or she can veto bills or sections of bills, including the state budget. The governor also gets his or her allies in the legislature to introduce bills that he or she wants to become law.

But the governor’s biggest job is running state government. The governor hires and is the boss of the directors of 40 state agencies. These agencies run state prisons and mental hospitals; provide health care and other services to low-income people, the elderly, and people with disabilities; license cars, drivers, businesses and professions; and protect the environment.

There are another 46 agencies that are governed by boards or commissions (groups of specially selected people that oversee the agency), and the governor appoints some or all of the members of these groups. The governor also chooses the boards of trustees that govern state colleges and universities. It takes two or three people working full time in the governor’s office just to recruit and screen people for all these positions, and to advise the governor on these appointments.

The governor also works with the U. S. government on many issues. If there is a flood or other disaster, the governor asks the federal government for emergency assistance. If there are issues before the U. S. congress that will affect our state, the governor meets with our state’s congressional representatives to make sure our state’s assistance. If there are issues before the U. S. congress that will affect our state, the governor asks the federal government for emergency assistance. If there are issues before the U. S. congress that will affect our state, the governor asks the federal government for emergency assistance.

The Department of Licensing

About 1,335 people work at the Department of Licensing. In offices all over the state, they license drivers, cars, trucks and boats. They also license businesses, and hundreds of professions ranging from accountants to manicurists to wrestlers. And they license facilities such as drug treatment centers, migrant labor camps, and shelters for victims of domestic violence. The fees for these licenses help pay for government services. Licensing is an important way for government to make sure that citizens are protected. The Department of Licensing requires that people get proper training and pass a test before they get a license to drive a car or truck, provide services to the public, or open a facility like a child care center.

The Department of Social and Health Services (DSHS)

DSHS is the biggest state agency; it has many thousand employees in offices all over the state. It is responsible for helping people in need of emergency help or health care, making sure that people with disabilities and the elderly get the services they need, protecting children from abuse and neglect, and taking care of the state’s most difficult juvenile delinquents.

The Asian Pacific American Affairs Commission

The Asian Pacific American Affairs Commission is one of several small agencies that advocate for the rights of people of color in Washington. Two staff people work for this Commission. The 12 Commissioners are appointed by the Governor to serve three year terms. The Commissioners are from all over the state. They don’t get paid for being on the Commission, although the state pays their expenses when they travel to a meeting. The purpose of the Commission is to advocate for the interests of Asian Pacific Americans in Washington, and to advise the governor, the legislature, and state agencies about their needs.

The other agencies that represent people of color are the African-American Affairs Commission, the Hispanic Affairs Commission, and the Governor’s Office of Indian Affairs. A list of all state government agencies is available on the state government web site at www.access.wa.gov.
needs are known. The governor is also a member of the National Governors’ Association, which meets once each year with the U. S. president to talk about relations between state governments and our national government.

The governor can convene special commissions to study issues and make recommendations for changes. In the last few years, groups called together by the governor have issued reports on how to improve the state’s business climate, how to protect people with disabilities from abuse, how to improve the state’s colleges and universities, and how to reform the state’s tax structure. The recommendations of these groups aren’t always enacted, but they do have a lot of influence.

One of the governor’s most important roles is to provide leadership to the people of the state. The governor does this in many ways. Each year, the governor gives a “state of the state” speech at the beginning of the legislative session that spells out what important issues need to be addressed. And throughout the year, the governor gives speeches to business and community groups all over the state, and listens to people’s concerns and problems. The governor encourages people to be active citizens, to volunteer in their communities, and to help make our state a better place.

The governor and his or her family also become a symbol of our state. States that elect eccentric or corrupt governors get a reputation for being eccentric or corrupt. States that elect respected governors get respect.

**The other executive branch officials that we elect are:**

**The Lieutenant Governor** presides over sessions of the state Senate. Legally, the lieutenant governor is the governor when the governor is out of state, but in practice, the governor’s staff takes care of things when he or she is away. The lieutenant governor really only has a part-time job, since the Senate is usually in session for only two or three months a year. But the lieutenant governor gets a full-time salary, and can use his or her time to do whatever he or she thinks is important. For example, a lieutenant governor might spend time campaigning against drug and alcohol abuse, or promoting international trade.

**The Secretary of State** supervises state and local elections, and certifies the results of state primaries and general elections. (County officials, however, register people to vote and actually conduct elections.) The Secretary of State is also responsible for publishing the state voters’ pamphlet, which is mailed to all the voters in the state before each election. The voters’ pamphlet contains statements from candidates for state offices, and information about other issues that people vote on. The Secretary of State is also in charge of registering corporations and charities in the state, and keeping the state archives. The archives house all the historic documents of state government.

Like the Lieutenant Governor, the Secretary of State can also pursue his or her own agenda.

**The State Treasurer** manages the state’s cash and debts. She or he has to make sure that the state maintains a good credit rating, so that when the state wants to borrow money, it gets low interest rates.

**The State Auditor** makes sure that everyone in state and local government follows the rules for how the public’s tax dollars are spent.

Gary Locke’s family immigrated to Washington from China. He grew up in Seattle, where he worked in his parents’ grocery store. He studied hard in school, and graduated with honors from Franklin High School. With a combination of scholarships, part-time jobs, and government financial aid, he was able to go to Yale University. Then he went to law school in Boston. After he graduated, he came back to Seattle and began his career as a lawyer. In 1982, he was elected to the state House of Representatives, where he became chair of the House committee in charge of writing the state budget.

In 1996, he was elected Governor of Washington – the first person of color to be our governor, and the first Chinese-American in the history of the U. S. to be a governor.

While he was Governor, he made a trip to China to promote trade with our state. He was surprised to find out that he was a huge celebrity in China. When he went to the village his family came from, thousands of people lined the road to greet him, and children tossed flowers to honor his arrival.

Not long after his second term as governor ended, President Obama nominated him to be Secretary of Commerce, where he led efforts to promote American exports. From 2011 through 2013 he served as the U. S. ambassador to China.
Washington’s legislature has adopted laws to protect children and adults from the deadly effects of tobacco smoke. The laws forbid selling tobacco to anyone under 18, and ban smoking in restaurants and other indoor places so people are not exposed to secondhand smoke. The legislature also voted to increase taxes on cigarettes, because the more expensive they are, the fewer people buy them.

Similar laws have been passed in many other states, and there have been national TV ads that show the awful diseases people get from tobacco. All these measures have helped reduce the number of people who smoke. Today, we take it for granted that we’ll be protected from secondhand smoke and that smoking is a really bad idea, but that’s a big change from just a few years ago. Our state played a big role in making this change.

In 1996, Christine Gregoire, Washington’s Attorney General, filed a lawsuit against the tobacco companies because they were illegally trying to get minors to buy and use cigarettes. They were also violating Washington’s consumer protection and antitrust laws. Forty-five other states also sued the industry. Our Attorney General was the lead negotiator of the final settlement in 1998. The states won, and now tobacco companies have to give $4.5 billion to our state over the next twenty-five years. The tobacco companies have to give money to the other states, too.

In our state, the governor and the legislature decide how the money will be spent. The state Department of Health uses some of the money to prevent kids from becoming addicted to tobacco, and to help adults quit smoking.

Still, there’s more to do. Tobacco use is the leading cause of preventable death in the United States. The American Lung Association estimates that 440,000 Americans die every year from tobacco-related illnesses.

For more information about the Tobacco Prevention and Control Program, visit the Washington Department of Health website at www.doh.wa.gov, and type “tobacco” in the search box.
Freedom of Religion.

Commission on International
Clinton to serve on the U. S. was appointed by President
Baptist Churches, USA. He
a leader in the American
for people of color, and also
He was an advocate for fairness
three terms.

Three levels of courts: the lower level is the municipal and district courts. A court is called a municipal court if it’s run by a town or city, and a district court if it’s run by a county; both do the same things. These courts handle things like traffic tickets, and small crimes, called misdemeanors, for which the penalty is less than one year in jail. When people are convicted of misdemeanors, they often just pay a fine, especially if it’s for a driving violation like speeding or parking in the wrong place. If they are sentenced to jail, they are locked up in local jails, not state prisons. Municipal and district courts also handle smaller civil matters. They operate “small claims court” where people can sue for collection of debts up to $2,500.

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Charles Z. Smith is regarded as Washington’s first African-American state Supreme Court Justice. His mother was African American and his father was an immigrant from Cuba, and Smith always remembered both his immigrant and African-American roots. Smith was born in Florida. He came to Seattle to attend the University of Washington School of Law. He was one of only four students of color in his class – and the only one who graduated in 1955.

He worked as a prosecutor, a judge, as a news commentator on radio and TV, and as a professor. Then in 1988, Governor Booth Gardner appointed him to fill a vacancy on the state Supreme Court. He served three terms. He was an advocate for fairness for people of color, and also a leader in the American Baptist Churches, USA. He was appointed by President Clinton to serve on the U. S. Commission on International Freedom of Religion.

There are two kinds of court cases: civil and criminal. A civil case is a dispute between two people – for instance, between a landlord and a renter, or between a husband and wife who want a divorce, or between a group of environmentalists and a company that wants to harvest trees in a forest.

In a criminal case, the two sides are the person accused of the crime and the government.

Criminal offenses are things like driving while drunk, robbery, or hitting someone. Criminal cases include both very small and very large crimes – everything from driving too fast to killing someone.

There are several levels of courts. The lowest level is the municipal and district courts. A court is called a municipal court if it’s run by a town or city, and a district court if it’s run by a county – but both do the same things. These courts handle things like traffic tickets, and small crimes, called misdemeanors, for which the penalty is less than one year in jail. When people are convicted of misdemeanors, they often just pay a fine, especially if it’s for a driving violation like speeding or parking in the wrong place. If they are sentenced to jail, they are locked up in local jails, not state prisons. Municipal and district courts also handle smaller civil matters. They operate “small claims court” where people can sue for collection of debts up to $2,500.

There are two kinds of court cases: civil and criminal. A civil case is a dispute between two people. In a criminal case, the two sides are the person accused of the crime and the government.

The middle level of courts are called superior courts. These are the courts that handle most civil cases, including divorce, child custody, and other family matters. Superior court also includes juvenile court.

Superior courts also handle more serious crimes, called felonies. People who are convicted of felonies are usually sent to state prisons. People who were convicted of crimes in a municipal or district court can also appeal to a superior court if they think the local court wasn’t fair to them, or didn’t follow the law correctly. Every county has a superior court, but some rural counties share judges because they don’t need (or can’t afford) a full-time judge.

There are also three state appeals courts, located in Tacoma, Seattle, and Spokane. People go to these courts when they feel that a superior court decision was unfair or not legally correct. When people appeal to these courts, the court doesn’t listen to all the witnesses all over again; they just read the record of the earlier trial and listen to the lawyers for the parties involved explain why they thought the decision was or was not consistent with the law. Then the appellate court decides whether the lower court ruling was correct or not.

The top court for the state is the State Supreme Court, which consists of nine justices and is located in Olympia. The Supreme Court hears appeals from the lower courts. Unlike the other courts, the Supreme Court can decide which cases they want to hear. If they think the lower court’s decision was correct, they can decide not to take
believe that the public is more likely to get a well-qualified judge if the governor makes the choice. This is a difficult issue because on the one hand, people want the right to elect judges, but, on the other hand, most of us really don’t know which lawyers will make good judges.

There are special rules for people who run for judge that make this even more complicated. Candidates for judge aren’t supposed to know who contributes to their campaigns, because we want judges to be fair, and not to grant favors to their contributors. Candidates for judge are also not supposed to talk about controversial issues that they might be called on to deal with in court. So in a campaign for a judgeship, voters don’t have much to go on except the person’s reputation and their qualifications. And since most of us don’t spend a lot of time with lawyers, we may not know anything about the person’s reputation, or have a good sense of whether they are qualified. When this happens, people often vote for judges because their name sounds familiar, or they might just not vote at all for these positions.

To try to improve the public’s knowledge of candidates for judge, the state’s Office of the Administrator for the Courts publishes a voters’ guide. It isn’t mailed to all voters; it is inserted in local newspapers. It is also online at www.courts.wa.gov.

In criminal prosecutions the accused shall have the right to...appear and defend in person, and by counsel, to demand the nature and cause of the accusation against him ...to meet the witness against him face to face ...to compel the attendance of witnesses on his behalf, to have a speedy public trial by an impartial jury.”

Article I, Section 12
Washington State Constitution

80 The state we're in: Washington

Governing Washington today 81

Chapter 5

In 1889, the first Supreme Court of Washington had 5 justices.

In 2004, Washington was the first state in the nation to have 5 women sitting as judges on its Supreme Court.
The State We’re In: Washington - Chapter 5

Getting the Facts (please answer each question in a complete sentence or sentences)

1. What are the two halves of the State Legislature?
2. When does the State Legislature meet? How long is the session?
3. Name three committees in the legislature.
4. What is a public hearing?
5. What do both the House and Senate have to do before a Bill becomes a law?
6. Who must sign the final Bill before it becomes law?
7. What is the legislature’s biggest job?
8. Where does the money for the state budget come from?
9. What is the job of the Senate Majority Leader?
10. What is a party caucus?
11. What is the Public Disclosure Commission?
12. What are the jobs of the governor?
13. How does the governor work with the U. S. government?
14. What is perjury?
15. What is the difference between a civil and criminal case?
16. What kinds of civil cases do superior courts handle?
17. What are felonies?
18. What do the state appeals courts do?
19. What is the most important job that the State Supreme Court has?

Understanding the Facts (please choose only 2 questions and answer in complete paragraphs)

1. List the four basic ideas in our constitutions and briefly describe what they mean.
2. Why is the senate majority leader the most powerful person in the senate?
3. Why do people say that most of the state budget is spent to “educate, medicate, and incarcerate” people?
4. Describe at least three conflicts over the use of water.
5. Why is it important to have a Public Disclosure Commission?
6. Briefly describe the functions of municipal courts, superior courts, appeals courts and the Supreme Court.

7. Should judges be elected or appointed? Why or why not?
6 Tribal governments today

In 1989, Washington’s governor and representatives of many Indian tribes signed the Centennial Accord. (The state centennial was the 100th anniversary of Washington becoming a state.) The Centennial Accord said that state government would respect the sovereignty of the tribes – that is, it would respect Indian tribes’ right to govern themselves.

This simple statement meant a lot to tribes. It meant that the state and the tribes would have a “government-to-government” relationship – a relationship between equals. Instead of trying to impose its rules on Indians, the state promised to work more closely with tribal governments, to respect the terms of the treaties and tribal laws, and to educate state employees about tribes and their governments. Today, most state agencies have tribal liaisons who work to ensure that agencies respect tribal sovereignty, and work cooperatively with tribal governments.

Still, the tribes and the state government have a lot of work to do to make this new relationship smoother. Most people who work in state government still don’t know very much about the history or culture of Indian tribes, or about what’s in the treaties. So the Governor’s Office of Indian Affairs provides special training for state employees on these topics, and on what it means to have a government-to-government relationship.

Today, tribes are also working hard to improve their governments so that they can provide essential services to their members. Health clinics, services for the elderly and people with disabilities, child welfare services, law enforcement, and schools and colleges are being created. Tribal governments are working with other governments to protect and restore salmon runs and improve the health of rivers and streams. Tribes are also opening new museums and working to preserve their history and renew their cultural traditions.

Federally recognized tribes

- Chehalis Confederated Tribes
- Confederated Tribes of the Cowlitz Reservation
- Cowlitz Tribe
- Hoh Tribe
- Jamestown S’Klallam Tribe
- Kalispel Tribe
- Lower Elwha Klallam Tribe
- Lummi Nation
- Makah Tribe
- Muckleshoot Tribe
- Nisqually Tribe
- Nooksack Tribe
- Port Gamble S’Klallam Tribe

Non-Federally recognized Indian tribes

- Puyallup Tribe
- Quileute Tribe
- Quinault Nation
- Samish Nation
- Sauk-Suiattle Tribe
- Shoalwater Bay Tribe
- Skokomish Tribe
- Snoqualmie Tribe
- Spokane Tribe
- Squaxin Island Tribe
- Stillaguamish Tribe
- Suquamish Tribe
- Swinomish Tribe
- The Tulalip Tribes
- Upper Skagit Tribe
- Yakama Nation

Note: Washington state does not have state-recognized tribes, as some states do. The following tribes are landless, non-federally recognized. Some are categorized as non-profit corporations; some are waiting for federal recognition. All have requested inclusion on this list.

- Chinook Tribe
- Duwamish Tribe
- Kikiallus Indian Nation
- Marietta Band of Nooksack Tribe
- Snohomish Tribe
- Snoqualmoo Tribe
- Stelacoom Tribe

Non-Washington Federally recognized Indian tribes with ceded territories in Washington state

- Coeur d’Alene Tribe
- Nez Perce Tribe
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of Warm Springs

In 1989, Washington’s governor and representatives of many Indian tribes signed the Centennial Accord. (The state centennial was the 100th anniversary of Washington becoming a state.) The Centennial Accord said that state government would respect the sovereignty of the tribes – that is, it would respect Indian tribes’ right to govern themselves.
Tribal governments are not like state government, or like local governments. They are unique, because they are governments for nations within a nation. Originally, the idea of the treaties was that the federal government should protect these “domestic dependent nations” from state governments. (In the case of fishing rights, that’s what happened: the federal government sued the state to win recognition of the tribes’ right to harvest fish, which was spelled out in treaties.)

But there is one way in which tribal governments are like state governments. Like states, tribes can pass any law that doesn’t violate federal law. For instance, tribes can run casinos because there is no federal law that prohibits them. Casinos are legal in the state of Nevada, because the Nevada state government chose to make them legal. Similarly, many tribal governments have chosen to make casinos legal on their lands. The federal and state governments regulate tribal casinos, but it is the tribes’ right to operate them.

Many tribes are using money earned by tribal casinos to pay for government services to their members. Tribal casinos are a very important source of new jobs and income for tribes, and for nearby communities. Tribes also donate money from casinos to charities and community projects that help everyone.

Money from casinos is important because tribal governments have not had much of a tax base. Although some tribes have taxed tribal fishing and logging, most tribes didn’t really have much to tax. They had to rely on very limited amounts of money from the federal government. In the treaties, Indians were promised health and education services “in perpetuity” (which means forever), but they often didn’t get them.

This wasn’t an easy change to make. For years after the Boldt decision, tribes and the state struggled to get along. Most people in state government knew very little about tribal culture, history, and treaty law, and many resisted the changes that the Boldt decision called for to protect and restore Indian rights.

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In late 1988, a group of four tribal leaders met with Bob Turner, a policy advisor to Governor Booth Gardner, to talk about how to improve relations between tribal and state governments. The leaders in that meeting were Joe Delacruz, President of the Quinault Nation; Mel Tonasket, Chair of the Confederated Tribes of the Colville Reservation; Larry Kinley, Chair of the Lummi Nation; and W. Ron Allen, Chair of the Jamestown S’Klallam Tribe.

They agreed that a new understanding between state agencies and the tribes was urgently needed. The Governor and his staff understood that the state had to make a commitment to do a better job of respecting tribal sovereignty. But making such a commitment would be hard, because Washington’s state government includes several elected state officials, over fifty state agencies, and hundreds of state boards and commissions.

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No one remembers which of them came up with the idea, but someone suggested that there was a need for a new state/tribal treaty to clearly spell out that state agencies needed to respect tribal sovereignty and legal rights. But, they quickly realized, it wouldn’t be a treaty, because treaties are agreements between nations. So what should they call it - a compact, a memorandum of understanding, a contract? Somewhere along the line, they came up with the term “Accord.” And since the state centennial would be the following year, the idea evolved into the “Centennial Accord.”

Ron Allen was the only one in the room with a computer, so he took notes, and he and Bob Turner wrote the first draft. They sent their draft around to the other three, including the Governor’s chief of staff. Everyone liked it. Then they sent it around to more tribal leaders. Along the way, various people made changes and improvements.

Clearly, this was an idea whose time had come. The Governor and the tribal leaders knew that signing the Accord could signal a new beginning in relations between tribes and state agencies. Equally important, the Accord called for annual meetings between state and tribal leaders that would make the Accord have lasting meaning, rather than being just a single splashy event.

The Centennial Accord also led to the creation of the Governor’s Office of Indian Affairs – a permanent state agency that provides education for state employees about the history, culture and legal status of tribes, and acts as a liaison between the tribes and the state. (Before the Centennial Accord, there was a single staff person who advised the Governor on “Indian Affairs.”)

Today, tribal and state leaders continue to meet once a year to review where they have made progress, where problems persist, and what to do next. No one thinks that the Centennial Accord has solved all the problems. But it has provided a forum for continuing to work on them, and helped educate state agency leaders about the special status of tribes, their governments and the issues they care about. The continuing dialogue created by the Accord has also shown how having positive, respectful relationships helps people come together and solve problems.

The Centennial Accord also inspired people in states such as Alaska, New Mexico, and Wisconsin to write their own versions. All this started with a handful of people, sitting around talking about how to solve a problem. And it just might prove something anthropologist Margaret Mead once said: “Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.”
The Boldt decision

When Washington Indian nations signed treaties with the federal government, they gave up a lot of land, but they kept the right to hunt, fish, and gather in all their “usual and accustomed places” — many of which were not on the reservations. At the time the treaties were signed, no one thought this would be a problem. But the population of settlers grew larger than anyone dreamed, and so did the number of white people who fished for a living. In fact, fishing became a major industry. Soon Indians were prevented from fishing in the places where they had fished for thousands of years. State agents arrested Indians caught fishing off their reservations, and took away their boats and fishing nets.

In the 1960s, Indian fishers began to protest this violation of their treaty rights. Many people (including some famous movie stars) came to support them, and news of these protests brought the issue to the attention of the public. Finally, the U.S. government acted to protect Indian

The Boldt decision is famous because it confirmed that the treaties have to be respected. It encouraged tribes all over the U.S. (and native people in other countries) to insist on their rights. It also led to a flowering of Indian culture in our state, because the salmon are a central part of Indian life. Many Indians who had moved away from their reservations came home again. The Boldt decision, more than any other event, made it clear to everyone that Indian culture, history, and identity are here to stay.

Billy Frank grew up on the Nisqually Reservation near Olympia. His dad, who lived to be 104, told him many stories that he had heard from his parents about what happened during “treaty times,” when the reservation was created.

In 1975, Billy Frank helped create the Northwest Indian Fisheries Commission. The Commission helps tribes develop fisheries management plans, and “speaks for the salmon” in dealings with state government. Since the Boldt decision, tribes have developed hatcheries, restored streams and rivers that had been polluted or damaged, and worked together with state government to plan for restoring runs of salmon that have been depleted.

It has been hard for the tribes and the state to change from being enemies to being partners in caring for salmon. Billy Frank’s leadership is a big part of what made that change possible, and what keeps it moving forward.

He has received many awards and honors for doing this. Today, Billy Frank is still telling his son the stories his dad told to him.

Most tribes that have casinos have used some of the money they earned to start other tribal enterprises. They are creating different kinds of businesses to provide a wider variety of jobs for tribal members, and a broader base of financial support for tribal government. Tribes now operate businesses ranging from shopping centers to tourist resorts, and these enterprises provide jobs for many non-Indians as well as tribal members. In fact, tribal enterprises have become an important source of economic vitality for many Washington communities.

Some tribes, however, have reservations that are too far away from population centers to support a casino, a shopping center, or other enterprises. So even though the
Virginia Beavert was born in 1921 in a bear cave in the Blue Mountains. Her parents had gone hunting, and got caught in an early snow storm. She grew up on a cattle and horse ranch near Zillah. As a child, she learned the Yakama language from her family, and the traditional ways of using and preserving fish, native plants, roots, and berries.

She graduated from Toppenish High School, and has fond memories of a circle of friends that included Native American, Caucasian, Japanese-American and Mexican-American girls.

She served in the military during World War II, and then worked at Hanford, cared for her family, and worked in a hospital. In 1974, at the age of 53, she graduated from Central Washington University. She became a member of the Yakama Tribal Council. She was often critical of the Council’s actions, and so she helped push for a Code of Ethics that spelled out proper behavior for Council members.

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She often traveled to Washington, D.C. to represent the tribe. She has taught at Heritage College in Toppenish, and is working on creating a dictionary of the Yakama language, which is called Sahaptin. (Sahaptin was actually spoken by several tribes, and each tribe had its own version of it, called a dialect.) She is dedicated to preserving this language because it is such an important part of the Yakama culture and heritage. She is a beloved Elder of the Tribe, and an honorary member of the League of Women Voters.

When Hazel was young, much of her life was spent living apart from her parents. She was sent to boarding schools run by the federal government where students were not allowed to speak their native languages or practice their own spiritual traditions. In the 1920s, very few Native American children attended schools with white children.

After graduating from high school in 1932, Hazel enrolled in another boarding school in Santa Fe, New Mexico. This school represented a change in federal policy; it actually encouraged people to preserve at least some of their native cultures. Hazel was one of the first students to enroll in a special program for the study of Indian arts and crafts. As a child, she had watched her grandmothers carefully craft beautifully woven baskets of all shapes and sizes from materials they gathered on the reservation. Hazel became a master basket maker, and taught people from many tribes how to make them, too. Eventually, people from all over the United States and the world traveled to the Chehalis reservation to buy Hazel Pete’s baskets.

Hazel Pete’s greatest legacy was the role she played as a teacher. She taught arts and crafts in several boarding schools. She then returned to the Chehalis reservation, where she learned all she could about her tribe. For many years, she gave presentations in the local public schools. Wearing traditional clothing, she read Chehalis legends to students, sang songs to them, and tried to help them learn about Indian history and culture.

An amazing beginning, a remarkable life

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Tribal councils and committees do just what Indians did before settlers came: they spend a lot of time talking—and listening—to try to find solutions to problems that everyone can agree on. Even though the structure of many tribal governments is non-traditional, the cultural habit of seeking consensus is still very strong. This sometimes frustrates people from other governments, because they are used to meeting deadlines, no matter what. In many tribal governments, it is more important to take time to reach agreement than it is to meet a deadline. Tribes want to make sure that everyone is heard, and that everyone’s needs are met.

Today, tribal governments have more and more paid staff, because they are taking on more responsibility and creating more programs to help tribal members and their communities. In fact, tribes actually employ more fisheries biologists than the state does. Tribal government staff carry out the policies set by the tribal government committees and the tribal council.

Most tribes have their own police and courts. Tribal police and courts can deal with crimes committed by tribal members (or members of other tribes), but when non-Indian people commit crimes on reservations, other police agencies are sometimes called in. This has been the source of a lot of confusion and conflict. In some places, tribal police and county sheriffs are working together to overcome these problems, and to share responsibility for keeping the whole community safe. They have “cross deputized” each other, so that tribal and non-tribal police can act on each other’s behalf. In 2008, the state legislature passed a new law that allows tribal police to be certified in the same way that other police officers are, and gives them more authority, but non-Indians who commit crimes on reservations still must be tried in local rather than tribal courts.

As tribal governments grow, many tribes need more employees, managers, and leaders, so tribal governments are investing more in scholarships to encourage young tribal members to go to college, and to learn the skills they will need to lead tribal governments and run tribal enterprises in the years to come.

Despite the many positive changes occurring in Indian country, Indian tribes and reservations still have many people in poverty, especially in rural areas. A full recovery from centuries of discrimination, suppression of Indian traditions, loss of resources, and broken promises will take more time, and more work by both tribal and non-tribal governments and all people of goodwill. It will also take more education of non-Indians about the history, culture and status of the tribes.

Indian or Native American?

The original peoples of the Americas were called “Indians” by Columbus when he “discovered” America because he was really lost, and thought his ships had reached India. Somehow, the name “Indian” stuck. Now people sometimes wonder whether it’s respectful to call Native Americans “Indians.” Over the years, Native people have thought about this a lot, and naturally, they don’t all have the same opinion.

But most are OK with either term – Indian or Native American. A lot of Native organizations, such as the National Congress of American Indians, use the word Indian in their names, and Native people commonly refer to “Indian country” when they talk about reservations or the national network of Indian communities.

What most Indians really prefer, however, is to be identified as members of their own tribe. For instance, they would like you to say “my friend Denny is Skokomish” rather than “my friend Denny is Indian.”

Measuring water height for a flood study along the Nooksak River.

Suquamish tribal members paddle their canoe through the breakers.

Quileute students looking for birds, La Push.

Herman Williams (left) and Dale Reiner. Herman, Chair of the Tulalip Tribes, gave a blanket to Dale to honor him and his farming family for their salmon restoration work on Haskell Slough, which runs through Dale’s property. Dale is a 5th generation farmer in the Skykomish Valley. He raises cattle and Christmas trees.
Getting the Facts (please answer each question in a complete sentence or sentences)

1. What is the Centennial Accord? When was it signed?
2. What does “respect the sovereignty of the tribes” mean?
3. What is a “government-to-government” relationship?
4. How are the tribes working to improve their governments to provide services to their members?
5. How are tribal governments unique?
6. How are tribal governments like state governments?
7. How do tribes benefit from operating tribal casinos?
8. Are all tribal governments the same? Explain your answer.
9. What is the role of the tribal government staff?
10. What powers do the tribal police and courts have?
11. Why are tribal governments investing in scholarships?
12. The sidebars in your text tell about three important tribal leaders. List their names and give a reason why each one is so respected.

Understanding the Facts (please choose only 2 questions and answer in complete paragraphs)

1. What services do tribal governments provide?
2. What new tribal enterprises are being started with money from the casinos?
3. How do most tribes govern?
4. Compare the similarities and differences between how the tribes govern today with how they governed in the past.
5. What were the new laws of 2008 regarding tribal police?
6. What are some priorities of tribal governments today?
7. Read the sidebar about the Centennial Accord. What were the goals and results of this accord?
8. Why is the Boldt decision famous?
9. Why is Billy Frank important?