

SENATE BILL 353

P1

6lr1839
CF 6lr1833

By: **Senators Lee, Feldman, King, Manno, and Raskin**

Introduced and read first time: January 28, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **General Provisions – Commemorative Days – Fred Korematsu Day**

3 FOR the purpose of requiring the Governor annually to proclaim a certain day as Fred
4 Korematsu Day; requiring the proclamation to urge certain organizations to observe
5 Fred Korematsu Day properly with appropriate programs, ceremonies, and
6 activities; and generally relating to Fred Korematsu Day.

7 BY renumbering

8 Article – General Provisions

9 Section 7–402 through 7–416, respectively

10 to be Section 7–403 through 7–417, respectively

11 Annotated Code of Maryland

12 (2014 Volume and 2015 Supplement)

13 BY adding to

14 Article – General Provisions

15 Section 7–402

16 Annotated Code of Maryland

17 (2014 Volume and 2015 Supplement)

18 Preamble

19 WHEREAS, Fred Korematsu, the son of Japanese immigrants, was born on January
20 30, 1919, in Oakland, California; and

21 WHEREAS, On December 7, 1941, Japan attacked the American military base at
22 Pearl Harbor, Hawaii, launching the United States into World War II against Japan,
23 Germany, and Italy; and

24 WHEREAS, During World War II, Mr. Korematsu refused to comply with federal
25 Executive Order 9066, which authorized, on the basis of wartime military necessity, the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 relocation and internment of 117,000 people of Japanese descent, two-thirds of whom were
2 native-born American citizens; and

3 WHEREAS, After being jailed and forced to comply with the relocation order, Mr.
4 Korematsu unsuccessfully challenged the order in the U.S. Court of Appeals for the Ninth
5 Circuit and the U.S. Supreme Court; and

6 WHEREAS, Mr. Korematsu continued to maintain his innocence for decades
7 following World War II and, in 1983, his conviction was overturned in federal court after
8 the Commission on Wartime Relocation and Internment of Civilians concluded that the
9 decisions to relocate Japanese Americans were not justified and occurred because of “race
10 prejudice, war hysteria and a failure of political leadership”; and

11 WHEREAS, President Reagan signed the Civil Liberties Act of 1988, issuing an
12 apology and symbolic payment of compensation to individuals of Japanese descent who
13 were interned during World War II and, on January 15, 1998, President Clinton awarded
14 the Medal of Freedom to Mr. Korematsu; and

15 WHEREAS, Until his death in 2005, Fred Korematsu remained a tireless advocate
16 for the constitutional rights of Americans to liberty, due process, and equality, without
17 regard to race, ethnicity, or national origin; now, therefore,

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That Section(s) 7-402 through 7-416, respectively, of Article – General Provisions of the
20 Annotated Code of Maryland be renumbered to be Section(s) 7-403 through 7-417,
21 respectively.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
23 as follows:

24 **Article – General Provisions**

25 **7-402.**

26 **(A) THE GOVERNOR ANNUALLY SHALL PROCLAIM JANUARY 30 AS FRED**
27 **KOREMATSU DAY.**

28 **(B) THE PROCLAMATION SHALL URGE EDUCATIONAL AND CULTURAL**
29 **ORGANIZATIONS TO OBSERVE FRED KOREMATSU DAY PROPERLY WITH**
30 **APPROPRIATE PROGRAMS, CEREMONIES, AND ACTIVITIES.**

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 2016.