

HB 164 INTRODUCED BY BROWN, J.  
LEGAL HOLIDAYS--ABOLISH ELECTION DAY AND LINCOLN'S  
BIRTHDAY; CREATE FLOATING HOLIDAY

1/13 INTRODUCED  
1/13 REFERRED TO STATE ADMINISTRATION  
1/13 FISCAL NOTE REQUESTED  
1/19 FISCAL NOTE RECEIVED  
FAILED TO MEET TRANSMITTAL DEADLINE

1 HB BILL NO. 164  
2 INTRODUCED BY J. Brown

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT ABOLISHING STATE  
5 GENERAL ELECTION DAY, LINCOLN'S BIRTHDAY, AND WASHINGTON'S  
6 BIRTHDAY AS LEGAL HOLIDAYS; DESIGNATING PRESIDENTS' DAY AND  
7 THE FOURTH FRIDAY IN NOVEMBER AS LEGAL HOLIDAYS; AND  
8 AMENDING SECTION 1-1-216 AND 20-25-306, MCA."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 1-1-216, MCA, is amended to read:  
12 "1-1-216. Legal holidays and business days. (1) The  
13 following are legal holidays in the state of Montana:

- 14 (a) Each Sunday;
- 15 (b) New Year's Day, January 1;
- 16 ~~(c) Lincoln's Birthday, February 12;~~
- 17 ~~(d)~~(c) Washington's--Birthday Presidents' Day, the  
18 third Monday in February;
- 19 ~~(e)~~(d) Memorial Day, the last Monday in May;
- 20 ~~(f)~~(e) Independence Day, July 4;
- 21 ~~(g)~~(f) Labor Day, the first Monday in September;
- 22 ~~(h)~~(g) Columbus Day, the second Monday in October;
- 23 ~~(i)~~(h) Veterans' Day, November 11;
- 24 ~~(j)~~(i) Thanksgiving Day, the fourth Thursday in  
25 November;

1 (j) The fourth Friday in November, the day following  
2 Thanksgiving Day;

- 3 (k) Christmas Day, December 25;
- 4 ~~(l) State general election day.~~
- 5 (2) If any of the above-enumerated holidays (except  
6 Sunday) fall upon a Sunday, the Monday following is a  
7 holiday. All other days are business days."

8 Section 2. Section 20-25-306, MCA, is amended to read:  
9 "20-25-306. Designation of holidays by board of  
10 regents. (1) The board of regents of higher education may  
11 designate the following business days as holidays for all  
12 employees of the university system in exchange for the same  
13 number of legal holidays enumerated in 1-1-216:

- 14 ~~(a) the Friday following Thanksgiving;~~
- 15 ~~(b)~~(a) the Monday before Christmas Day or New Year's  
16 Day if either holiday falls on Tuesday; and
- 17 ~~(c)~~(b) the Friday after Christmas Day or New Year's  
18 Day if either holiday falls on Thursday.

19 (2) A full-time employee who is scheduled for a day  
20 off on a day that is designated as a holiday under  
21 subsection (1) is entitled to receive another day off with  
22 pay during the same pay period of the designated holiday or  
23 as scheduled by the employee and his supervisor in addition  
24 to the employee's regularly scheduled days off provided the  
25 employee is in a pay status on his last regularly scheduled



1 working day immediately before the holiday or on his first  
2 regularly scheduled working day immediately after the  
3 holiday. Part-time employees receive pay for the designated  
4 holiday on a prorated basis according to rules adopted by  
5 the department of administration or appropriate  
6 administrative officer under 2-18-604."

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB164, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act abolishing State General Election Day, Lincoln's birthday and Washington's birthday as legal holidays; designating President's Day and the fourth Friday in November as legal holidays; and amending Section 1-1-216 and 20-25-306, MCA.

ASSUMPTIONS:

1. FY88 cut three legal holidays - Lincoln's and Washington's birthdays and state general election day. Add two holidays - President's Day and the fourth Friday in November.
2. FY89 cut two legal holidays - Lincoln's and Washington's birthdays. Add two legal holidays - President's Day and the fourth Friday in November.
3. Essential 24 hour and emergency services, such as Institutions and Highway Patrol, operate on holidays.

FISCAL IMPACT:Expenditures:

	<u>Proposed Law</u>	
	<u>FY88</u>	<u>FY89</u>
<b>Costs:</b>		
Department of Justice	(\$26,968)	-0-
Department of Institutions	(\$67,161)	-0-
	(\$94,129)	
<b>Funding:</b>		
General Fund	(\$67,161)	-0-
State Special	(\$26,968)	
	(\$94,129)	

Revenues:

N/A

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

Local governments would also have a reduction in expenditures in FY88 in overtime to employees working in life safety areas, such as police and fire fighting personnel.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

N/A

David L. Hunter DATE 4/19/87  
 DAVID L. HUNTER, BUDGET DIRECTOR  
 Office of Budget and Program Planning

J. Brown DATE 4/19/87  
 JAN BROWN, PRIMARY SPONSOR

Fiscal Note for HB164, as introduced.

HB-164