

1999 DRAFTING REQUEST

Bill

Received: 11/09/1999

Received By: champra

Wanted: Soon

Identical to LRB:

For: Pedro Colon (608) 267-7669

By/Representing: Andy

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Alt. Drafters:

Subject: Employ Pub - civil service
Employ Pub - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Optional holiday for Cesar Chavez day

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	champra 1 1/1/1999	chanarnan 1 1/1/1999	martykr 1 1/1/1999	_____	lrb_docadmin 1 1/1/1999		State
/2	champra 1 1/18/1999	chanaman 1 1/18/1999	martykr 1 1/18/1999	_____	lrbdocadmin 1 1/18/1999	lrb_docadminState 1 1/22/1999	

FE Sent For:

sent

<END>

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FE Sent For:		11/11					

<END>

By: Truan

S.B. No. 107

(In the Senate - Filed December 18, 1998; January 28, 1999, read first time and referred to Committee on Finance; March 2, 1999, reported adversely, with favorable Committee Substitute by the following vote: Yeas 11, Nays 0; March 2, 1999, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 107

By: Truan

A BILL TO BE ENTITLED
AN ACT

relating to the designation of March 31 as Cesar Chavez Day.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 662, Government Code, is amended by adding Section 662.013 to read as follows:

Sec. 662.013. OPTIONAL HOLIDAY FOR CESAR CHAVEZ DAY. (a) The 31st day of March shall be designated "Cesar Chavez Day" in observance of the birthday of Cesar Chavez.

(b) The administrative head of a state agency may allow an employee of the agency to have a day off with pay on Cesar Chavez Day in lieu of any other state holiday that occurs on a weekday, other than a weekday on which an election is held throughout the state, on which the state agency is required to be open but on which the operations of the agency are required to be maintained at only a minimum level.

(c) On Cesar Chavez Day, each state agency shall remain open and conduct the operations of the agency at a minimum level.

(d) A holiday allowed under this section is in lieu of another holiday prescribed by law. The total number of holidays in a year to which an employee of a state agency is entitled is not changed by this section.

SECTION 2. This Act takes effect September 1, 1999.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

* * * * *

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(c) On Cesar Chavez Day, each state agency shall remain open and conduct the operations of the agency at a minimum level.

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A BILL TO BE ENTITLED

AN ACT

relating to the designation of March 31 as Cesar Chavez Day.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 662.021, Government Code, is amended to read as follows:

Sec. 662.021. DATES OF HOLIDAYS. A legal holiday includes only the following days:

- (1) a national holiday under Section 662.003(a); and
- (2) a state holiday under Sections 662.003(b)(1) through (7) [~~(6)~~].

SECTION 2. Section 662.003(b), Government Code, is amended to read as follows:

(b) A state holiday includes only the following days:

(1) the 19th day of January, "Confederate Heroes Day," in honor of Jefferson Davis, Robert E. Lee, and other Confederate heroes;

(2) the second day of March, "Texas Independence Day";

(3) the 31st day of March, "Cesar Chavez Day," in observance of the birthday of Cesar Estrada Chavez;

(4) the 21st day of April, "San Jacinto Day";

(5) [~~(4)~~] the 19th day of June, "Emancipation Day in Texas," in honor of the emancipation of the slaves in Texas in 1865;

(6) [~~(5)~~] the 27th day of August, "Lyndon Baines Johnson Day," in observance of the birthday of Lyndon Baines Johnson;

(7) [~~(6)~~] every day on which an election is held throughout the state;

(8) [~~(7)~~] the Friday after Thanksgiving Day;

(9) [~~(8)~~] the 24th day of December; and

(10) [~~(9)~~] the 26th day of December.

SECTION 3. This Act takes effect September 1, 1999.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Colon

Provide that March 31

is an optional holiday for the
observance of C. Chang's birthday

per Leo

11/8/99



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3917/1

RAC:.....

cmh

Seon

1999 BILL

negot.

1 AN **ACT.!**; relating to: creating an optional holiday for state employes to observe
2 the birthday of Cesar Chavez.

Analysis by the Legislative Reference Bureau

This bill requires all state agencies to designate March 31 as "Cesar Chavez Day" in observance of the birthday of Cesar Chavez. Under the bill, if March 31 falls on a day on which the offices of a state agency are open, the appointing authority of the state agency is required to permit any employe of the state agency to receive that day as a paid holiday in lieu of receiving a paid holiday on one of the other paid holidays provided to state employes. The bill also provides that the appointing authority may permit an employe to receive March 31 as a paid holiday only if the operations of the state agency are maintained at least at a minimum level.

For further information *see* the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1. 230.35 (4)** (b) of the statutes is renumbered 230.35 (4) (b) 1. and
4 amended to read:

5 230.35 (4) (b) 1. ~~Compensatory~~ [✓] Except as provided in subd. 2., commensatory
6 time off or payment, either of which shall be at the rate of time and one-half, shall

BILL

SECTION 1

1 be granted to state employes for all work performed on the holidays enumerated in
2 par. (a) 1. to 9.

History: 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16.30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 S. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 118, 307.

3 **SECTION 2.** 230.35 (4) (b) 2. of the statutes is created to read:

4 230.35 (4) (b) 2. Subdivision 1. shall not apply to work performed by a state
5 employe on a holiday enumerated in par. (a) 1. to 9., if the state employe received a
6 paid holiday for March 31 and the work is performed on the holiday to make up for
7 receiving a paid holiday on March 31.

8 **SECTION 3.** 230.35 (4m) of the statutes is created to read:

9 230.35 (4m) (a) All agencies shall designate March 31 as "Cesar Chavez Day"
10 in observance of the birthday of Cesar Chavez.

11 (b) If March 31 falls on a day on which the offices of any agency are open, the
12 appointing authority of the agency shall permit any employe of the agency to receive
13 that day as a paid holiday in lieu of receiving a paid holiday on one of the holidays
14 enumerated in sub. (4) (a), but only if the operations of the agency are maintained
15 at least at a minimum level.

16 (END)

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU-
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 11/11/1999

To: Representative Colon

Relating to LRB drafting number: LRB-3917

Topic

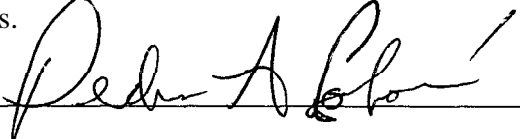
Optional holiday for Cesar Chavez day

Subject(s)

Employ Pub - civil service, Employ Pub - miscellaneous

1. **JACKET** the draft for introduction _____

in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached  _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Rick A. Champagne, Senior Attorney
Telephone: (608) 266-9930



1999 BILL

All references to
"Cesar Chavez" should
be changed to ~~Cesar~~
"Cesar E. Chavez"

1 **AN ACT to renumber and amend 230.35 (4) (b); and to create 230.35 (4) (b) 2.**
2 and 230.35 (4m) of the statutes; **relating to:** creating an optional holiday for
3 state employes to observe the birthday of Cesar Chavez.

Analysis by the Legislative Reference Bureau

This bill requires all state agencies to designate March 31 as "Cesar^{E.} Chavez Day" in observance of the birthday of Cesar Chavez. Under the bill, if March 31 falls on a day on which the offices of a state agency are open, the appointing authority of the state agency is required to permit any employe of the state agency to receive that day as a paid holiday in lieu of receiving a paid holiday on one of the other paid holidays provided to state employes. The bill also provides that the appointing authority may permit an employe to receive March 31 as a paid holiday only if the operations of the state agency are maintained at least at a minimum level.

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3917/r 2
RAC:cmh:km

Signature

RM has been
run

1999 BILL

referred

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5th Floor, 100 N. Hamilton Street

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Date: 1/18/1999

To: Representative Colon

Relating to LRB drafting number: LRB-3917

Topic

Optional holiday for Cesar Chavez day

Subject(s)

Employ Pub - civil service, Employ Pub - miscellaneous

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2. **REDRAFT.** See the changes indicated or attached _____
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