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8 SYNOPSIS: Under existing law, the state observes
9 certain days as state holidays.

10 This bill would include the observance of
11 the American Indian Heritage Day within the list of
12 holidays observed by the state.

13
14 A BILL
15 TO BE ENTITLED
16 AN ACT

17
18 To amend Section 1-3-8, Code of Alabama 1975,
19 relating to the observance of state holidays, to include the
20 observance of the American Indian Heritage Day within the list
21 of holidays observed by the state.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 1-3-8, Code of Alabama 1975, is
24 amended to read as follows:

25 "§1-3-8.

26 "(a) Sunday, Christmas Day, New Year's Day, Martin
27 Luther King, Jr.'s birthday, Robert E. Lee's birthday, George

1 Washington's birthday, Thomas Jefferson's birthday,
2 Confederate Memorial Day, National Memorial Day, Jefferson
3 Davis' birthday, the Fourth day of July, Labor Day, Columbus
4 Day and Fraternal Day, Veterans' Day, American Indian Heritage
5 Day, and the day designated by the Governor for public
6 thanksgiving shall each be deemed a holiday. If any holiday
7 falls on Sunday, the following day is the holiday. If any
8 holiday falls on Saturday, the preceding day is the holiday.
9 Veterans' Day shall be observed by the closing of all state,
10 county and municipal offices, all banks located within this
11 state and the public schools on such day. The superintendent
12 of banks, with the concurrence of not less than two members of
13 the state banking board, may authorize any state bank to close
14 on National Memorial Day, the last Monday in May, and on such
15 other days as may be declared by the Governor to be state
16 holidays in honor of a special event. In the event any
17 authorized state holiday falls on Friday, the Superintendent
18 of Banks may authorize the Saturday following that Friday to
19 be a holiday. The superintendent may also authorize the
20 closing of banks at 12:00 noon on the day prior to Christmas
21 Day, and the day prior to New Year's Day, if such days fall on
22 business days.

23 " (b) Of the above enumerated legal public holidays,
24 the following shall be observed on the dates herein
25 prescribed:

26 " (1) Robert E. Lee's birthday — the third Monday in
27 January.

1 " (2) George Washington's birthday — the third Monday
2 in February.

3 " (3) Confederate Memorial Day — the fourth Monday in
4 April.

5 " (4) Jefferson Davis' birthday — the first Monday in
6 June.

7 " (5) Columbus Day and Fraternal Day — the second
8 Monday in October.

9 " (6) Veterans' Day — the eleventh day of November.

10 " (7) Martin Luther King, Jr.'s birthday — the third
11 Monday in January.

12 " (8) National Memorial Day — the last Monday in May.

13 " (9) Thomas Jefferson's birthday — the third Monday
14 in February.

15 "(10) American Indian Heritage Day - the second
16 Monday in October.

17 " (c) In addition to the legal holidays provided
18 above, Mardi Gras shall be deemed a holiday in Mobile and
19 Baldwin Counties and all state offices shall be closed in
20 those counties on Mardi Gras.

21 " (d) In addition to the legal holidays provided
22 above all state employees, except those employed in Baldwin
23 and Mobile Counties, shall be granted one personal leave day
24 per year. The personal leave day shall be granted on January 1
25 of each year. All state employees employed in Baldwin and
26 Mobile Counties shall be granted no personal leave day. All
27 such personal leave days granted in any year shall be used by

1 the end of the calendar year. All such personal leave days
2 shall be scheduled during the year with the approval of the
3 supervisor. Supervisors failing to schedule personal leave
4 days for employees must justify that action in writing to the
5 Director of State Personnel and the employee shall receive pay
6 at a rate not less than the employee's usual and customary
7 rate of pay for any personal leave day not taken by December
8 31 of each year.

9 " (e) All state holidays shall be observed by the
10 closing of all state offices. Any state office may remain open
11 on a state holiday upon written notice by the appointing
12 authority to the State Personnel Board at least 60 days in
13 advance of the holiday. Provided, that any state office may be
14 opened in the event of an emergency and the State Personnel
15 Board may grant a blanket approval for the openings of state
16 offices needing to be open on holidays on a regular basis for
17 essential services. Any state employee working on a state
18 holiday shall receive a day of compensatory leave or paid
19 compensation in lieu of the holiday as provided herein.

20 " (f) Each employee shall attempt to schedule any
21 compensatory leave day provided in lieu of a regularly
22 scheduled holiday, subject to the approval of the supervisor,
23 during the quarter that the regularly scheduled holiday
24 occurred. In the event that any compensatory leave day cannot
25 be scheduled during the designated quarter, then the
26 compensatory leave day may be accumulated at the request of
27 the employee for up to one year. Supervisors failing to

1 schedule compensatory leave days for employees within the
2 quarter, unless the day is carried forward at the request of
3 the employee, must justify that action in writing to the
4 Director of State Personnel and the employee shall receive pay
5 at a rate not less than the employee's usual and customary
6 rate of pay for any compensatory leave day to which he may be
7 entitled and which has not been taken."

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
0 approval by the Governor, or its otherwise becoming law.