

MEMORANDUM

March 8, 2012

TO: Government Operations and Fiscal Policy Committee

FROM: Robert H. Drummer, Senior Legislative Attorney 

SUBJECT: **Worksession:** Bill 3-12, Personnel – Special Days of Commemoration - Additions

Bill 3-12, Personnel – Special Days of Commemoration - Additions, sponsored by Councilmembers Leventhal and Elrich, is scheduled was introduced on January 24, 2012. A public hearing was held on February 14.

Background

The religious, ethnic, and cultural heritage of County residents is very diverse. The County benefits economically, intellectually, culturally, and socially from the richness and strength of its diversity and seeks to promote an inclusive community for all residents. The Council enacted Bill 1-06 on March 28, 2006 to designate certain days of commemoration in order to recognize this diversity. The ability of County employees to provide high quality customer service is enhanced when County employees know that certain days have special religious, ethnic, or cultural meaning that will affect the daily activities of a significant number of County residents.

Under Code §33-4B(c) and (d), the CAO must provide electronic notice to each County employee every 3 months of the upcoming days of commemoration and a second notice 7 days before each day of commemoration each year. The notice must include a brief explanation of the reason for the commemoration, a description of any activities that may affect County services on that day, if any, and the rules for taking leave for religious observance if the day is a religious holiday.

In addition to the days of commemoration designated in law by Bill 1-06, Code §33-4B(b)(2) authorizes the Chief Administrative Officer to designate additional days of commemoration that have “special religious, ethnic, or cultural meaning that may affect the daily activities of a significant portion of the County’s total population.” The CAO has already designated 21 additional days of commemoration under this authority. Bill 3-12 would codify each of these additional days. These additional days and their dates for 2012 are:

Three Kings Day

January 6, 2012

Three Kings Days (also called Dia de los Reyes, Epiphany, Feast of Kings, Twelfth Day, Twelfthtide, Day of the Three Wise Men). This major festival of the Christian Church is observed in many parts of the world with gifts, feasting, last lighting of the Christmas lights and burning of Christmas greens. It is the Twelfth and last day of the Feast of the Nativity. It commemorates the visit of the Three Wise Men (Kings of Magi) to Bethlehem. It is one of the oldest Christian feasts, originating in the Eastern Church in the second century, and predates the Western feast of Christmas. It was adopted by the Western Church during the same period in which the Eastern Church accepted Christmas.

Orthodox Christmas Day

January 7, 2012

Eastern Orthodox Churches, which use the Julian Calendar to determine feast days, celebrate on January 7 by the Gregorian Calendar.

Korean-American Day

January 13, 2012

A number of U.S. states have declared January 13 as Korean American Day in order to recognize Korean Americans' impact and contributions.

Parinirvana - Nirvana day

February 15, 2012

Mahayana Buddhist festival marking the anniversary of Buddha's death. Pure Land Buddhists call the festival "Nirvana Day". Parinirvana is celebrated by some Buddhists on February 8th. Nirvana Day is the celebration of Buddha's death when he reached total Nirvana, at the age of 80.

Presidents' Day

February 20, 2012

Washington's Birthday is a United States federal holiday celebrated on the third Monday of February in honor of George Washington, the first President of the United States. Although President Lincoln's birthday, February 12, was never a federal holiday, approximately a dozen state governments including Maryland, have officially renamed their Washington's Birthday observances as Presidents' Day.

Magha Puja

March 8, 2012

Fourfold Assembly or Sangha Day. Marks the day Buddha addressed a meeting of 1250 arahants.

Norouz

March 20, 2012

"New Day" (originally "New Light") is the traditional celebration of the ancient Achaemenid Iranian New Year. Norouz is also widely referred to as the Persian New Year. Norouz is celebrated and observed by Iranian peoples and has spread in many other parts of the world, including parts of Central Asia, South Asia, Northwestern China, the Crimea and some groups in

the Balkans. It is marked by family visits and the exchange of gifts, as well as special feasts. It is also commemorated by setting tables with foods and special items beginning with the letter S; this is known as the Haft Sin. The 13th day of the New Year festival is called "Sizdah Bedar" and is spent out of doors at picnics and parks. The UN's General Assembly in 2010 recognized the International Day of Norouz, describing it a spring festival of Persian origin which has been celebrated for over 3,000 years.

Theravada New Year

April 6 - 9, 2012

New Year festival for Theravada Buddhists, celebrated for three days from the first full moon day in April.

Festival of Ridvan

April 21, 2012

Festival of Ridvan - Meaning ("paradise") is a Baha'i celebration commemorating the 12-day period in 1863 that Baha'u'llah (Baha'i founder) spent in the Garden of Ridvan, just outside Bagdad. During this period, Baha'u'llah began his prophethood and became God's messenger for this age. Baha'u'llah was in the Garden of Ridvan from April 21 to May 2, 1863, and this period is considered the most holy festival of the Baha'i faith and is called "Most Great Festival." The Festival of Ridvan is observed according to the Baha'i calendar and begins on April 21 and continues through May 2 each year.

Wesak or Buddha day

May 6, 2012

The most important of the Buddhist festivals. It celebrates the Buddha's birthday, and, for some Buddhists, also marks his enlightenment and death.

Ascension Thursday (Orthodox)

May 17, 2012

Religious observance by many Christians, affirming the ascension of Jesus, celebrated on the Thursday in the sixth week following Easter Sunday.

Memorial Day

May 28, 2012

Memorial Day is a United States federal holiday observed on the last Monday of May. Memorial Day is a day of remembering the men and women who died while serving in the United States Armed Forces.

Dharma Day

July 3, 2012

The anniversary of the start of Buddha's teaching - his first sermon, "The Wheel of Truth", after his enlightenment.

Independence Day

July 4, 2012

Independence Day, commonly known as the Fourth of July, is a federal holiday in the United States commemorating the adoption of the Declaration of Independence on July 4, 1776, declaring independence from Great Britain.

Ramadan: The Islamic Month of Fasting

July 20, 2012

Ramadan, the ninth month of the Islamic calendar, is holy because it was during this month that the Holy Quran (Koran) was revealed. Adults fast from dawn until sunset to achieve spiritual and physical purification and self-discipline, abstaining from food, drink and intimate relations. It is a time for feeling a common bond with the poor and needy, and is a time of piety and prayer. It begins on the Islamic lunar calendar date Ramadan 1, 1429. Begins at sunset the preceding day.

Labor Day

September 3, 2012

Labor Day is a United States federal holiday observed on the first Monday in September that celebrates the economic and social contributions of workers.

Veterans' Day

November 11, 2012

Veterans Day, formerly Armistice Day, is a United States federal holiday observed on November 11 honoring armed service veterans.

Thanksgiving Day

November 22, 2012

Thanksgiving Day is a holiday celebrated in the United States on the fourth Thursday in November. On Thanksgiving Day, people give thanks for what they have and for the good things that happened during the year. The first Thanksgiving in New England took place in Plymouth, Massachusetts, in 1621. In 1863, President Abraham Lincoln declared the last Thursday in November as a national day of thanksgiving. Presidents made a similar declaration each year afterward. Congress established Thanksgiving Day as a legal national holiday beginning in 1941.

American Indian Heritage Day

November 23, 2012

On November 13, 2007, the United States House of Representatives unanimously passed legislation introduced by Representative Joe Baca that encourages the designation of the Friday after Thanksgiving Day as Native American Heritage Day to pay tribute to Native Americans for their many contributions to the United States. It is observed as a state holiday in Maryland. Source: http://mlis.state.md.us/2008rs/chapters_noln/Ch_486_hb0083T.pdf

Hanukkah (Chanukah)

December 8 - 16, 2012

Hanukkah (Chanukah) is celebrated by Jewish people around the world to commemorate their victory in the Maccabean War of 162 B.C.E. After the war, the Temple was cleansed and rededicated and the Menorah (perpetual lamp) was relit. Hanukkah means "dedication" in Hebrew. The celebration of Hanukkah is also known as the "Feast of Lights" because one of the

stories told is that the oil for the lamps was sufficient only for one day but burned miraculously for eight days. Today, Jewish families celebrate Hanukkah by lighting a special Menorah with eight candles plus a ninth shamash candle (server used to light the others). The dates of the Holiday usually fall in November or December, starting on the 25th day of Kislev in the Hebrew calendar each year. Begins at sundown December 8, 2012.

Bodhi Day

December 8, 2012

On Bodhi day some Buddhists celebrate Gautama's attainment of enlightenment under the Bodhi tree at Bodhgaya, India.

Public Hearing

There were no speakers at the February 14 public hearing.

Issue

Does Bill 3-12 conflict with the addition of Korean-American Day in Bill 1-12?

Bill 1-12, Personnel – Special Days of Commemoration – Amendments would add Korean-American Day to the codified list of days of commemoration. Korean-American Day would also be added by Bill 3-12. If the Council enacts both Bill 1-12 and Bill 3-12, Korean-American Day will be added only one time. There is no conflict.

Council staff recommendation: approve Bill 3-12 as introduced.

This packet contains:

Bill 3-12

Legislative Request Report

Fiscal and Economic Impact Statement

Circle #

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Bill No. 3-12
Concerning: Personnel – Special Days
of Commemoration - Additions
Revised: January 18, 2012 Draft No. 1
Introduced: January 24, 2012
Expires: July 24, 2013
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmembers Leventhal and Elrich

AN ACT to:

- (1) designate certain additional days of commemoration; and
- (2) generally amend the law relating to County employees and the religious, ethnic, and cultural heritage of County residents.

By amending

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-4B, Days of Commemoration

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 33-4B is amended as follows:**

2 **Sec. 33-4B. Days of commemoration.**

3 (a) Legislative findings.

4 (1) The religious, ethnic, and cultural heritage of County residents is
5 very diverse.

6 (2) The County benefits economically, intellectually, culturally, and
7 socially from the richness and strength of its diversity and seeks
8 to promote an inclusive community for all residents.

9 (3) The County's respect for the diversity of its own workforce is
10 reflected in the County's rules governing leave and alternate
11 work schedules for religious observance.

12 (4) The ability of County employees to meet the needs of County
13 residents and provide high quality customer service is enhanced
14 when County employees know that certain days have special
15 religious, ethnic, or cultural meaning that will affect the daily
16 activities of a significant number of County residents.

17 (b) Days of commemoration.

18 (1) Each of the following calendar days is designated a day of
19 commemoration:

20 (A) Eid Ul-Adha;

21 (B) Asian Lunar New Year;

22 (C) Martin Luther King Day;

23 (D) Ash Wednesday;

24 (E) Purim;

25 (F) Passover;

26 (G) Holy Thursday;

27 (H) Good Friday;

- 28 (I) Easter;
- 29 (J) Orthodox Holy Thursday;
- 30 (K) Orthodox Good Friday;
- 31 (L) Orthodox Easter;
- 32 (M) Ascension Thursday (Western);
- 33 (N) Shavuot;
- 34 (O) Feast of the Assumption;
- 35 (P) Juneteenth;
- 36 (Q) Rosh Hashanah;
- 37 (R) Yom Kippur;
- 38 (S) Succoth;
- 39 (T) [Shmini] Shemini Atzeret;
- 40 (U) Simchas Torah;
- 41 (V) Eid Ul-Fitr;
- 42 (W) Diwali;
- 43 (X) Feast of All Saints;
- 44 (Y) Feast of the Immaculate Conception;
- 45 (Z) Christmas; [and]
- 46 (AA) Kwanza;
- 47 (BB) Korean American Day;
- 48 (CC) Three Kings Day;
- 49 (DD) Orthodox Christmas Day;
- 50 (EE) Parinirvana – Nirvana Day;
- 51 (FF) President’s Day;
- 52 (GG) Magha Puja;
- 53 (HH) Norouz;
- 54 (II) Theravada New Year;

LEGISLATIVE REQUEST REPORT

Bill 3-12

Personnel – Special Days of Commemoration - Additions

DESCRIPTION: This bill would add each day already designated by the CAO as an additional day of commemoration to the list of calendar days that have special religious, ethnic, or cultural meaning.

PROBLEM: The CAO has designated 21 days of commemoration that are not listed in the law. This Bill would codify each of these additional days as a day of commemoration.

GOALS AND OBJECTIVES: The ability of County employees to provide high quality customer service is enhanced when County employees know that certain days have special religious, ethnic, or cultural meaning that will affect the daily activities of a significant number of County residents. The addition of these days will enhance the awareness of County employees and residents.

COORDINATION: Chief Administrative Officer, Human Resources

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: To be researched.

SOURCE OF INFORMATION: Robert H. Drummer, Senior Legislative Attorney, 240-777-7895

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: Not applicable.

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BILL 1-12



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ROCKVILLE, MARYLAND

MEMORANDUM

February 6, 2012

TO: Roger Berliner, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget
 Joseph F. Beach, Director, Department of Finance

SUBJECT: Bill 1-12 - Personnel - Special Days of Commemoration - Amendments

Attached please find the fiscal and economic impact statements for the above-referenced legislation.

JAH:hpv

- c: Kathleen Boucher, Assistant Chief Administrative Officer
- Lisa Austin, Offices of the County Executive
- Joy Nurmi, Special Assistant to the County Executive
- Patrick Lacefield, Director, Public Information Office
- Alex Espinosa, Office of Management and Budget
- Blaise DeFazio, Office of Management and Budget
- Helen Vallone, Office of Management and Budget
- Naeem Mia, Office of Management and Budget

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FEB 13 2012

Fiscal Impact Statement
Bill 1-12 - Personnel - Special Days of Commemoration – Amendments

1. Legislative Summary.

Bill 1-12 would add Korean-American Day as an additional day of commemoration. Korean-Americans make up approximately 3% of the County's population. Korean-American Day is celebrated on January 13 to commemorate the first group of immigrants to the US from Korea who arrived on Jan. 13, 1903.

The religious, ethnic, and cultural heritage of County residents is very diverse. The County benefits economically, intellectually, culturally, and socially from the richness and strength of its diversity and seeks to promote an inclusive community for all residents. The Council enacted Bill 1-06 on March 28, 2006 to designate certain days of commemoration in order to recognize this diversity. The ability of County employees to provide high quality customer service is enhanced when County employees know that certain days have special religious, ethnic, or cultural meaning that will affect the daily activities of a significant number of County residents.

Although the CAO has already designated Korean-American Day as a day of commemoration under Code §334B(b)(2), Bill 1-12 would codify this decision.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

This bill is not expected to produce any fiscal impact on revenues or expenditures.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

This bill is not expected to produce any fiscal impact on revenues or expenditures.

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

Not applicable.

5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

Not applicable. This bill does not authorize any spending.

6. An estimate of the staff time needed to implement the bill.

No additional staff time is needed to implement this bill. Korean-American Day is already recognized as a Special Day of Commemoration.

7. An explanation of how the addition of new staff responsibilities would affect other duties.

Not applicable.

8. An estimate of costs when an additional appropriation is needed.

Not applicable.

9. A description of any variable that could affect revenue and cost estimates.

Not applicable. This bill does not affect revenues or costs.

10. Ranges of revenue or expenditures that are uncertain or difficult to project.

Not applicable.

11. If a bill is likely to have no fiscal impact, why that is the case.

Not applicable. This bill has no fiscal impact.

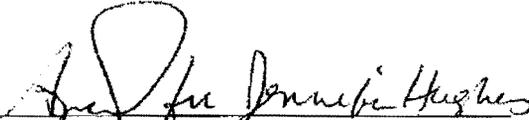
12. Other fiscal impacts or comments.

13. The following contributed to and concurred with this analysis:

Stuart Weisberg, Office of Human Resources

Helen P. Vallone, Office of Management and Budget

Naeem Mia, Office of Management and Budget



Jennifer A. Hughes, Director
Office of Management and Budget

2/6/12
Date

Economic Impact Statement
Council Bill 1-12, Personnel -Special Days of Commemoration -Amendments

Background:

This proposed legislation adds Korean American Day to the list of Days of Commemoration observed for County employees. Designation as a Day of Commemoration means that the day has special religious, ethnic or cultural meaning.

1. The sources of information, assumptions, and methodologies used.

Not applicable.

2. A description of any variable that could affect the economic impact estimates.

Not applicable.

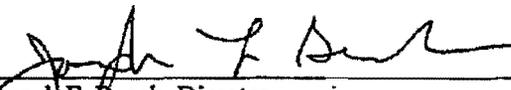
3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.

Not applicable.

4. If a Bill is likely to have no economic impact, why is that the case?

The bill is administrative only.

5. The following contributed to and concurred with this analysis: Mike Coveyou,
Finance



Joseph F. Beach, Director
Department of Finance

1/26/12
Date