

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 104

(SENATE AUTHORS: KUNESH)

DATE
01/10/2023

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Introduction and first reading
Referred to Education Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to holiday observances; requiring school observance of Indigenous Peoples'
1.3 Day; establishing Indigenous Peoples' Day as a state holiday and eliminating
1.4 Christopher Columbus Day as a state holiday; amending Minnesota Statutes 2022,
1.5 sections 120A.42; 645.44, subdivision 5.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 120A.42, is amended to read:

1.8 **120A.42 CONDUCT OF SCHOOL ON CERTAIN HOLIDAYS.**

1.9 (a) The governing body of any district may contract with any of the teachers of the
1.10 district for the conduct of schools, and may conduct schools, on either, or any, of the
1.11 following holidays, provided that a clause to this effect is inserted in the teacher's contract:
1.12 Martin Luther King's birthday, Lincoln's and Washington's birthdays, ~~Columbus Day~~
1.13 Indigenous Peoples' Day, and Veterans' Day. On Martin Luther King's birthday, Washington's
1.14 birthday, Lincoln's birthday, and Veterans' Day at least one hour of the school program
1.15 must be devoted to a patriotic observance of the day. On Indigenous Peoples' Day, at least
1.16 one hour of the school program must be devoted to observance of the day. As part of its
1.17 observance of Indigenous Peoples' Day, a district may provide professional development
1.18 to teachers and staff, or instruction to students, on the following topics:

1.19 (1) the history of treaties between the United States and Indigenous peoples;

1.20 (2) the history of federal boarding schools for Indigenous children;

1.21 (3) Indigenous languages;

1.22 (4) Indigenous traditional medicines and cultural or spiritual practices;

2.1 (5) the sovereignty of Tribal nations;

2.2 (6) the contributions of Indigenous people to American culture, literature, and society;

2.3 and

2.4 (7) current issues affecting Indigenous communities.

2.5 (b) A district may conduct a school program to honor Constitution Day and Citizenship
 2.6 Day by providing opportunities for students to learn about the principles of American
 2.7 democracy, the American system of government, American citizens' rights and
 2.8 responsibilities, American history, and American geography, symbols, and holidays. Among
 2.9 other activities under this paragraph, districts may administer to students the test questions
 2.10 United States Citizenship and Immigration Services officers pose to applicants for
 2.11 naturalization.

2.12 Sec. 2. Minnesota Statutes 2022, section 645.44, subdivision 5, is amended to read:

2.13 Subd. 5. **Holiday.** "Holiday" includes New Year's Day, January 1; Martin Luther King's
 2.14 Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the third
 2.15 Monday in February; Memorial Day, the last Monday in May; Independence Day, July 4;
 2.16 Labor Day, the first Monday in September; ~~Christopher Columbus Day~~ Indigenous Peoples'
 2.17 Day, the second Monday in October; Veterans Day, November 11; Thanksgiving Day, the
 2.18 fourth Thursday in November; and Christmas Day, December 25; provided, when New
 2.19 Year's Day, January 1; or Independence Day, July 4; or Veterans Day, November 11; or
 2.20 Christmas Day, December 25; falls on Sunday, the following day shall be a holiday and,
 2.21 provided, when New Year's Day, January 1; or Independence Day, July 4; or Veterans Day,
 2.22 November 11; or Christmas Day, December 25; falls on Saturday, the preceding day shall
 2.23 be a holiday. No public business shall be transacted on any holiday, except in cases of
 2.24 necessity and except in cases of public business transacted by the legislature, nor shall any
 2.25 civil process be served thereon. However, for the executive branch of the state of Minnesota,
 2.26 "holiday" also includes the Friday after Thanksgiving ~~but does not include Christopher~~
 2.27 ~~Columbus Day~~. Other branches of state government and political subdivisions shall have
 2.28 the option of determining whether ~~Christopher Columbus Day~~ and the Friday after
 2.29 Thanksgiving shall be ~~holidays~~ a holiday. Where it is determined that ~~Columbus Day~~ or the
 2.30 Friday after Thanksgiving is not a holiday, public business may be conducted thereon.

2.31 Any agreement between a public employer and an employee organization citing Veterans
 2.32 Day as the fourth Monday in October shall be amended to cite Veterans Day as November
 2.33 11.