

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

(EMERGENCY)
NEW DRAFT OF: H. P. 699, L. D. 899

ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1436

H. P. 1117

House of Representatives, April 9, 1969

Reported by Mrs. Wheeler from Committee on Legal Affairs. Printed under Joint Rules No. 18.

BERTHA W. JOHNSON, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

**AN ACT Providing for the Observance of Certain
Legal Holidays on Monday.**

Emergency preamble. Whereas, Acts and resolves passed by the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commonwealth of Massachusetts already has passed an act dealing with the observance of legal holidays in accordance with the following; and

Whereas, the said Massachusetts act became effective January 1, 1969; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 4, § 1051, amended. Section 1051 of Title 4 of the Revised Statutes is amended to read as follows:

§ 1051. Legal holidays

No court shall be held on Sunday or any day designated for the annual Thanksgiving; or for the choice of presidential electors; New Year's Day, January 1st; Washington's Birthday, ~~February 22nd~~ the 3rd Monday in February; ~~the 19th day of April; the 30th day of May~~ Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May; the 4th of July; Labor

Day, the first Monday of September; the day of the state-wide primary election; the day of the state election; the day of any special state-wide election; Veterans Day, ~~November 11th~~ **the 4th Monday in October**; or on Christmas Day; and when the time fixed for a term of court falls on any of said days, it shall stand adjourned until the next day, which shall be deemed the first day of the term for all purposes. The public offices in county buildings may be closed to business on the above-named holidays. When any one of the above-named holidays falls on Sunday, the Monday following shall be observed as a holiday, with all the privileges applying to any of the days above named.

Sec. 2. R. S., T. 9, § 131, amended. Section 131 of Title 9 of the Revised Statutes, as amended by section 3 of chapter 323 of the public laws of 1965, is further amended to read as follows:

§ 131. Dates established

Any day of public thanksgiving, mourning or disaster, proclaimed or appointed by the Governor or by the President of the United States, the first day of January, the ~~2nd day of~~ **3rd Monday in February**, the ~~19th day of April~~ **Patriot's Day, the 3rd Monday in April**, the ~~30th day of~~ **Memorial Day, the last Monday in May**, the 4th day of July, **Labor Day**, the first Monday of September, Veterans Day, ~~November 11th~~ **the 4th Monday in October**, and the 25th day of December are declared to be bank holidays. If a ~~bank holiday~~ **the first day of January, the 4th day of July or the 25th day of December** falls on Sunday, the following Monday shall be deemed a bank holiday for the purposes of this Title. Any financial ~~institutions~~ **institution** or credit union under the supervision of the Department of Banks and Banking may close for part of any business day for good cause, on permission of the Bank Commissioner. Any such institution or credit union may close on permission of the commissioner when federal banking institutions are permitted to close.

Sec. 3. R. S., T. 17, § 3204, amended. The first paragraph of section 3204 of Title 17 of the Revised Statutes is amended to read as follows:

No person, firm or corporation shall, on the Lord's Day, Memorial Day, July 4th, Labor Day, ~~November 11th~~ **the 4th Monday of October**, Christmas Day and Thanksgiving Day as proclaimed by the Governor, keep open a place of business to the public except for works of necessity, emergency or charity.

Sec. 4. R. S., T. 20, § 801, amended. The first sentence of section 801 of Title 20 of the Revised Statutes is amended to read as follows:

The following days shall be observed as school holidays, namely; Patriot's Day, ~~April 19th~~ **the 3rd Monday in April**; Memorial Day, ~~May 30th~~ **the last Monday in May**; Independence Day, July 4th; Labor Day, the first Monday in September; Veterans Day, ~~November 11th~~ **the 4th Monday in October**; Christmas Day, December 25th; Thanksgiving and Labor Day, as appointed by the Governor.

Sec. 5. R. S., T. 20, § 801, amended. The 6th sentence of section 801 of Title 20 of the Revised Statutes, as amended by section 19 of chapter 425 of the public laws of 1967, is further amended to read as follows:

In addition to the foregoing, New Year's Day, January 1st; Washington's Birthday, ~~February 22nd~~ **the 3rd Monday in February;** ~~Columbus Day, October 12th~~ shall, upon vote of the school committee or school directors of any administrative unit, be observed by teachers and pupils of the public schools of said administrative unit by an exercise appropriate thereto, such exercise to be held during such part of the school session as the teacher of each school may designate.

Sec. 6. R. S., T. 25, § 1279, amended. The last paragraph of section 1279 of Title 25 of the Revised Statutes is amended to read as follows:

No person shall be arrested in a civil action, or mesne process, or execution, or on a warrant for taxes, on the day of annual Thanksgiving, ~~the 19th day of April, the 30th day of May~~ **Patriot's Day, the 3rd Monday in April, Memorial Day, the last Monday in May,** the 4th day of July, **Labor Day,** the first Monday of September, Veterans Day, ~~November 11th~~ **the 4th Monday in October,** or Christmas. On the day of any military training, inspection, review or election, no officer or soldier required by law to attend the same shall be arrested on any such processes.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.