

# MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 1070

H. P. 903

House of Representatives, February 27, 1981

Referred to the Committee on Legal Affairs. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative Tarbell of Bangor.

Cosponsor: Representative Connors of Franklin.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

**AN ACT to Restore Memorial Day Holiday to its Authentic Historical Date.**

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

**Sec. 1. 4 MRSA § 1051, first sentence**, as last amended by PL 1979, c. 701, is further amended to read:

No court may 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, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, ~~the last Monday in May, but if the United States Government designates May 30th as the date for observance of Memorial Day or in 1985, whichever occurs first in time~~ the 30th of May; the 4th of July; Labor Day, the first Monday of September; the day of a statewide primary, general or special election; Columbus Day, the 2nd Monday in October; Veterans Day, November 11th; or on Christmas Day.

**Sec. 2. 9-B MRSA § 141, sub-§ 1**, as repealed and replaced by PL 1975, c. 623, § 6-A, is amended to read:

**1. Holidays 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; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, ~~the last~~

~~Monday in May, but if the United States Government designates May 30th as the date for observance of Memorial Day or in 1985, whichever occurs first in time the 30th of May; the 4th of July; Labor Day, the first Monday of September; Columbus Day, the 22nd day of October; Veterans Day, November 11th; and the 25th day of December are declared to be financial institution holidays. If the first day of January, the 30th day of May, the 4th of July, the 11th day of November or the 25th day of December falls on Sunday, the following Monday shall be deemed a financial institution holiday for the purpose of this Title. When the date for observance of Memorial Day changes under this subsection to the 30th day of May and such date falls on a Sunday, the following Monday shall be deemed a financial institution holiday for the purposes of this Title~~

**Sec. 3. 17 MRSA § 3204, first ¶** as last amended by PL 1975, c. 623, § 18-G, is further amended to read:

No person, firm or corporation shall, on the Lord's Day; Memorial Day, ~~the last Monday in May, but if the United States Government designates May 30th as the date for observance of Memorial Day or in 1985, whichever occurs first in time the 30th day of May;~~ July 4th; Labor Day, the first Monday of September; Veterans Day, November 11th; 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. 20 MRSA § 801, first sentence,** as repealed and replaced by PL 1973, c. 788, § 74, is amended to read:

The following days shall be observed as school holidays, namely: Patriot's Day, the 3rd Monday in April; Memorial Day ~~the last Monday in May 30th of May;~~ Independence Day, July 4th; Labor Day, the first Monday in September; Columbus Day, the 2nd Monday in October; Veterans Day, November 11th; Christmas Day, December 25th; Thanksgiving and Arbor Day, as appointed by the Governor.

#### STATEMENT OF FACT

The purpose of this bill is to establish May 30th as the date on which Memorial Day will be observed rather than the last Monday of May.