

MAINE STATE LEGISLATURE

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1 (EMERGENCY)
2 SECOND REGULAR SESSION
3

4 ONE HUNDRED AND TWELFTH LEGISLATURE
5

6 Legislative Document

No. 1872

7
8 H.P. 1335

House of Representatives, January 15, 1986

9 Approved for introduction by a majority of the Legislative Council
pursuant to Joint Rule 26.

10 Reference to the Committee on State Government suggested and ordered
printed.

11 EDWIN H. PERT, Clerk

Presented by Representative Bost of Orono.

12 Cosponsored by Senator Andrews of Cumberland, Senator Kany of
Kennebec and Representative Handy of Lewiston.

13 STATE OF MAINE
14

15 IN THE YEAR OF OUR LORD
16 NINETEEN HUNDRED AND EIGHTY-SIX
17

18 AN ACT to Change Martin Luther King Day from
19 a Special Observance Day to a State
20 Holiday.
21

22 **Emergency preamble.** Whereas, Acts of the Legis-
23 lature do not become effective until 90 days after
24 adjournment unless enacted as emergencies; and

25 Whereas, the Federal Government has designated
26 Martin Luther King Day, the 3rd Monday in January, as
27 a federal holiday; and

28 Whereas, in order for the State to designate the
29 same date as a state holiday in time for observance
30 in 1986, this bill must be enacted as emergency leg-
31 islation; and

32 Whereas, in the judgment of the Legislature,
33 these facts create an emergency within the meaning of
34 the Constitution of Maine and require the following

1 legislation as immediately necessary for the preser-
2 vation of the public peace, health and safety; now,
3 therefore,

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

6 Sec. 1. 1 MRSA §115, as enacted by PL 1975, c.
7 7, is repealed.

8 Sec. 2. 4 MRSA §1051, as amended by PL 1985, c.
9 50 and PL 1985, c. 114, §1, is repealed and the fol-
10 lowing enacted in its place:

11 §1051. Legal holidays

12 No court may be held on Sunday or any day desig-
13 nated for the annual Thanksgiving; New Year's Day,
14 January 1st; Martin Luther King Day, the 3rd Monday
15 in January; Washington's Birthday, the 3rd Monday in
16 February; Patriot's Day, the 3rd Monday in April; Me-
17 morial Day, the last Monday in May, but if the Feder-
18 al Government designates May 30th as the date for ob-
19 servance of Memorial Day, the 30th of May; the 4th of
20 July; Labor Day, the first Monday of September; Co-
21 lumbus Day, the 2nd Monday in October; Veterans' Day,
22 November 11th; or on Christmas Day. The Chief Jus-
23 tice of the Supreme Judicial Court may order that
24 court be held on a legal holiday when he finds that
25 the interests of justice and judicial economy in any
26 particular case will be served. The public offices in
27 county buildings may be closed to business on the
28 holidays named in this section. When any one of the
29 holidays named in this section falls on Sunday, the
30 Monday following shall be observed as a holiday, with
31 all the privileges applying to any of the days named
32 in this section.

33 Sec. 3. 9-B MRSA §141, sub-§1, as amended by PL
34 1985, c. 114, §2, is further amended to read:

35 1. Holidays established. Any day of public
36 thanksgiving, mourning or disaster, proclaimed or ap-
37 pointed by the Governor or by the President of the
38 United States, the first day of January; Martin
39 Luther King Day, the 3rd Monday in January;
40 Washington's Birthday, the 3rd Monday in February;

1 Patriot's Day, the 3rd Monday in April; Memorial Day,
2 the last Monday in May, but if the United States Govern-
3 ment designates May 30th as the date for observ-
4 ance of Memorial Day, the 30th of May; the 4th of Ju-
5 ly; Labor Day, the first Monday of September; Colum-
6 bus Day, the 2nd Monday in October; Veterans' Day,
7 November 11th; and the 25th day of December are de-
8 clared to be bank holidays. If the first day of Jan-
9 uary, the 4th day of July, the 11th day of November
10 or the 25th day of December falls on Sunday, the fol-
11 lowing Monday shall be deemed a bank holiday for the
12 purpose of this Title. When the date for observance
13 of Memorial Day changes under this subsection to the
14 30th day of May and such date falls on a Sunday, the
15 following Monday shall be deemed a bank holiday for
16 the purposes of this Title.

17 Sec. 4. 20-A MRSA §4802, sub-§1, ¶G, as enacted
18 by PL 1981, c. 693, §§5 and 8, is amended to read:

19 G. Thanksgiving Day, as designated by the Gover-
20 nor; and

21 Sec. 5. 20-A MRSA §4802, sub-§1, ¶H, as enacted
22 by PL 1981, c. 693, §§5 and 8, is amended to read:

23 H. Christmas Day, December 25th; and

24 Sec. 6. 20-A MRSA §4802, sub-§1, ¶I is enacted
25 to read:

26 I. Martin Luther King Day, the 3rd Monday in
27 January.

28 Sec. 7. 20-A MRSA §4803, sub-§7, as enacted by
29 PL 1981, c. 693, §§5 and 8, is repealed.

30 Emergency clause. In view of the emergency cited
31 in the preamble, this Act shall take effect when ap-
32 proved.

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STATEMENT OF FACT

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This bill designates Martin Luther King Day, the 3rd Monday in January, as a state holiday to coincide with the federal observance of Martin Luther King Day.

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