



130th MAINE LEGISLATURE

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Legislative Document

No. 100

H.P. 66

House of Representatives, January 13, 2021

**An Act To Establish the General Election Date in United States
Presidential Election Years as a State Holiday**

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on State and Local Government pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORIARTY of Cumberland.

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

2 **Sec. 1. 4 MRSA §1051**, as amended by PL 2019, c. 59, §1 and c. 475, §49, is
3 repealed and the following enacted in its place:

4 **§1051. Closings for legal holidays**

5 This section governs the days on which court may not be held.

6 **1. Legal holidays.** Court may not be held on Sunday or:

7 A. Any day designated for the annual Thanksgiving;

8 B. New Year's Day, January 1st;

9 C. Martin Luther King, Jr., Day, the 3rd Monday in January;

10 D. Washington's Birthday, the 3rd Monday in February;

11 E. Patriot's Day, the 3rd Monday in April;

12 F. Memorial Day, the last Monday in May, but if the Federal Government designates
13 May 30th as the date for observance of Memorial Day, the 30th of May;

14 G. The 4th of July;

15 H. Labor Day, the first Monday of September;

16 I. Indigenous Peoples Day, the 2nd Monday in October;

17 J. Election Day, the Tuesday following the first Monday in November, in any year in
18 which the President of the United States is elected;

19 K. Veterans Day, November 11th; or

20 L. Christmas Day.

21 **2. Exception; Sundays.** The Chief Justice of the Supreme Judicial Court may order
22 that court be held on a legal holiday when the Chief Justice finds that the interests of justice
23 and judicial economy in any particular case will be served. The public offices in county
24 buildings may be closed to business on the holidays named in this section. When any one
25 of the holidays named in this section falls on Sunday, the Monday following must be
26 observed as a holiday, with all the privileges applying to any of the days named in this
27 section.

28 **Sec. 2. 5 MRSA §59** is enacted to read:

29 **§59. Election Day established as state holiday in presidential election year**

30 Election Day, the Tuesday following the first Monday in November, is a state holiday
31 in any year in which the President of the United States is elected, and all nonessential state
32 offices must be closed.

33 **Sec. 3. 9-B MRSA §145, sub-§1, ¶I-1** is enacted to read:

34 I-1. The first Tuesday after the first Monday in November, Election Day, in any year
35 in which the President of the United States is elected;

36 **Sec. 4. 20-A MRSA §4802, sub-§1, ¶E-1** is enacted to read:

1 E-1. Election Day, the first Tuesday after the first Monday in November, in any year
2 in which the President of the United States is elected;

3 **SUMMARY**

4 This bill designates Election Day, the first Tuesday after the first Monday in November,
5 as a state holiday in any year in which the President of the United States is elected.