

LD 100 **An Act To Establish the General Election Date in United States Presidential Election Years as a State Holiday**
LD 286 **An Act to Make Election Day a State Holiday**

To: Members, Joint Standing Committee on State and Local Government
From: Lynne Caswell, Esq., Legislative Analyst
Date: February 24, 2021

SUMMARY

LD 101 designates the first Tuesday after the first Monday in November, as a state holiday in any year in which the President of the United States is elected.

LD 286 designates the first Tuesday after the first Monday in November, as a state holiday.

Both bills amend the following sections of statute:

- Title 4, Judicial Branch, legal holidays – adds to list and cleans up section (n=12)
- Title 9-B Banks and Financial Institutions, adds to list of nonbusiness days (n=12)
- Title 20-A, Elementary and Secondary Education, adds to list of “Unconditional holiday” (excludes include Presidents Day)

This bill expands the list of holidays for the Judicial Branch, Schools and Banks and Financial Institutions. Business and local unit of government are not bound to provide the same holidays.

TESTIMONY

LD 100	LD 286
Sponsor Rep. Moriarty	Sponsor Rep Collings
Proponents SOS; written only - Anna Brewer	Proponents SOS, Deputy Emily Cook; written only: David Gibson
Opponents: Maine School Boards Association and Maine School Superintendents Association (Eileen King)	Opponents: Maine Schools Board Association Maine Principals’ Association (Victoria Wallack); written by Dr. Holly Couturier, ED
NFNA League of Women Voters of Maine (Penelope Hamblin)	NFNA League of Women Voters’ of Maine (Penelope Hamblin) written only: Maine Town and Clerks Association (Patti Dubois, Chairperson)

PRIOR SESSIONS

	LD	Proposal	FN	Outcome
129 th	431	“day of general election”	\$6,604/year	OTPA SAT
128 th	1141	“Election Day, the first Tuesday after the first Monday in November”	\$6703/year	ONTP
126 th	587	“the first Tuesday after the first Monday in November”;	Study costs to be absorbed	ONTP / OTPA

POTENTIAL ISSUES / TECHNICAL PROBLEMS

None identified. Bills are identical in that they amend the same sections of statute.

Not a state mandate. Local units of government are not required to give employees a paid holiday on election day, however defined, as a holiday

INFORMATION REQUESTS

Committee members made the following requests to the following entities/persons:

- How do other states protect workers re: voting? (League of Women Voters’)
- How do other states treat election day? (SOS)

FISCAL IMPACT - Preliminary (OFPR)

None provided as of this date. See information above in Prior Sessions section.