

2015 DRAFTING REQUEST

Bill

Received: 8/10/2015 Received By: phurley
For: Legislative Council -law rev com Same as LRB: -4360
May Contact: By/Representing: Mike Queensland
Subject: State Govt - miscellaneous Drafter: phurley
Addl. Drafters:
Extra Copies:

Submit via email: YES
Requester's email: Michael.Queensland@legis.wisconsin.gov
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Martin Luther King, Jr. Day

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	phurley 10/12/2015	kmochal 8/11/2015	_____	mbarman 8/11/2015		State S&L
/P2		kmochal 10/19/2015	_____	lparisi 10/19/2015		State S&L
/1	phurley 1/11/2016	kmochal 1/11/2016	_____	mbarman 1/11/2016	sbasford 1/11/2016	State S&L

FE Sent For:

@
INTRO

<END>

Bender-Olson, Katie

COURTS?
PJ# SWB

LRC
draft
cm#

From: Queensland, Michael
Sent: Thursday, April 16, 2015 5:10 PM
To: Bender-Olson, Katie
Subject: FW: Possible Law Revision re Legal Holidays

From: Nancy Rottier [mailto:Nancy.Rottier@wicourts.gov]
Sent: Thursday, April 16, 2015 4:46 PM
To: Queensland, Michael
Subject: Possible Law Revision re Legal Holidays

Mike,

I found the question we had been asked to relay to you. It was from a staff attorney for the Children's Court in Milwaukee County.

The request was to look at changing s. 995.20, Legal holidays, relating to the way the Martin Luther King holiday is listed. The suggestion is to change the statute to read "the third Monday in January (which shall be the day of celebration for January 15)" rather than the current listing of just "January 15." There are 2 issues with the current wording: (1) the 15th does not often fall on the third Monday; and (2) not all counties observe MLK day as a legal holiday. (NOTE: I asked the Wisconsin Counties Association for a list of counties that observe/don't observe MLK day; they would have to survey members to generate a list.) We've been told either or both of these conditions have resulted in counties having to staff the courthouse on the third Monday of January (because it is not the legal holiday) for cases with short timelines (e.g. s. 48.21, Stats.).

The suggested change in language would treat the MLK holiday the same way as Memorial Day is treated in the statutes.

Let me know if you think this meets the parameters of the Law Revision Committee. Thanks for your help.

Nancy



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2892/P1
PSM...kcm

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

7-12

AN ACT ^{Gen. Cat.} relating to: Martin Luther King, Jr. Day

Analysis by the Legislative Reference Bureau

This bill changes the date of celebration for Martin Luther King, Jr.'s birthday. Under current law, the birthday of Martin Luther King, Jr., January 15, is a legal holiday. Under this bill, the third Monday in January is a legal holiday and is the day of celebration for January 15.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 995.20 of the statutes is amended to read:

995.20 Legal holidays. January 1, ~~the third Monday~~ ^{3rd} in January (which shall be the day of celebration for January 15), the 3rd Monday in February (which shall be the day of celebration for February 12 and 22), the last Monday in May (which shall be the day of celebration for May 30), June 19, which shall be the day of observation for Juneteenth Day, July 4, the 1st Monday in September which shall be

known as Labor day, the 2nd Monday in October, November 11, the 4th Thursday in November (which shall be the day of celebration for Thanksgiving), December 25, the day of holding the partisan primary election, and the day of holding the general election in November are legal holidays. On Good Friday the period from 11 a.m. to 3 p.m. shall uniformly be observed for the purpose of worship. In every 1st class city the day of holding any municipal election is a legal holiday, and in every such city the afternoon of each day upon which a primary election is held for the nomination of candidates for city offices is a half holiday and in counties having a population of 500,000 or more the county board may by ordinance provide that all county employees shall have a half holiday on the day of such primary election and a holiday on the day of such municipal election, and that employees whose duties require that they work on such days be given equivalent time off on other days. Whenever any legal holiday falls on Sunday, the succeeding Monday shall be the legal holiday.

History: 1971 c. 226; 1973 c. 140, 333; 1977 c. 187 s. 96; Stats. 1977 s. 757.17; 1983 a. 7; 1983 a. 192 s. 257; Stats. 1983 s. 895.20; 2005 a. 155 s. 33; Stats. 2005 s. 995.20; 2009 a. 91; 2011 a. 75.

(END)

Hurley, Peggy

From: Queensland, Michael
Sent: Monday, October 12, 2015 9:31 AM
To: Hurley, Peggy
Subject: Law Revision Committee: Note for Director of State Courts request

Hi Peggy,

Here is the Law Revision Committee Note to be inserted in the bill draft requested by the Office of the Director of State Courts.

LRB-2892/P1

NOTE: Modifies the definition of legal holiday to treat the third Monday in the month of January as a legal holiday instead of January 15.

Mike Queensland
Wisconsin Legislative Council
(608) 266-3810
michael.queensland@legis.wisconsin.gov



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2892/P1
PJH:klm

P2
mr

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

10-18

1 AN ACT *to amend* 995.20 of the statutes; **relating to:** Martin Luther King, Jr.
2 Day.

Insert 1

Analysis by the Legislative Reference Bureau

This bill changes the date of celebration for Martin Luther King, Jr.'s birthday. Under current law, the birthday of Martin Luther King, Jr., January 15, is a legal holiday. Under this bill, the third Monday in January is a legal holiday and is the day of celebration for January 15.

Insert 2

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Insert 3

3 SECTION 1. 995.20 of the statutes is amended to read:

4 **995.20 Legal holidays.** January 1, the 3rd Monday in January (which shall
5 be the day of celebration for January 15), the 3rd Monday in February (which shall
6 be the day of celebration for February 12 and 22), the last Monday in May (which
7 shall be the day of celebration for May 30), June 19, which shall be the day of

1 observation for Juneteenth Day, July 4, the 1st Monday in September which shall be
2 known as Labor day, the 2nd Monday in October, November 11, the 4th Thursday in
3 November (which shall be the day of celebration for Thanksgiving), December 25, the
4 day of holding the partisan primary election, and the day of holding the general
5 election in November are legal holidays. On Good Friday the period from 11 a.m. to
6 3 p.m. shall uniformly be observed for the purpose of worship. In every 1st class city
7 the day of holding any municipal election is a legal holiday, and in every such city the
8 afternoon of each day upon which a primary election is held for the nomination of
9 candidates for city offices is a half holiday and in counties having a population of
10 500,000 or more the county board may by ordinance provide that all county
11 employees shall have a half holiday on the day of such primary election and a holiday
12 on the day of such municipal election, and that employees whose duties require that
13 they work on such days be given equivalent time off on other days. Whenever any
14 legal holiday falls on Sunday, the succeeding Monday shall be the legal holiday.

15  (END)

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2892/P1ins
PJH:klm

1 INSERT 1:

2 (suggested as remedial legislation by the Office of the Director of State Courts)

3 INSERT 2:

 For further information, see the NOTES provided by the Law Revision
Committee of the Joint Legislative Council.

4

5 INSERT 3:

 LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation
proposal, requested by the Office of the Director of State Courts and introduced by the
Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration
of the various provisions of the bill, the Law Revision Committee has determined that this
bill makes minor substantive changes in the statutes, and that these changes are
desirable as a matter of public policy.

6

7 INSERT 4:

 NOTE: Modifies the definition of legal holiday to treat the third Monday in the
month of January as a legal holiday instead of January 15.



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2892/P2

PJH:klm

mr

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

holiday
5/3

no change
but from 1/15
to 1/1

1 **AN ACT to amend** 995.20 of the statutes; **relating to:** Martin Luther King, Jr.
2 Day (suggested as remedial legislation by the Office of the Director of State
3 Courts).

Analysis by the Legislative Reference Bureau

This bill changes the date of celebration for Martin Luther King, Jr.'s birthday. Under current law, the birthday of Martin Luther King, Jr., January 15, is a legal holiday. Under this bill, the third Monday in January is a legal holiday and is the day of celebration for January 15.

For further information, see the NOTES provided by the Law Revision Committee of the Joint Legislative Council.

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Office of the Director of State Courts and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4. and 5., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

Basford, Sarah

From: Queensland, Michael
Sent: Monday, January 11, 2016 12:51 PM
To: LRB.Legal
Subject: Draft Review: LRB -2892/1

Please Jacket LRB -2892/1 for the ASSEMBLY.