

## LEGISLATIVE BILL 34

Approved by the Governor March 14, 1973

Introduced by Rasmussen, 41

AN ACT to amend sections 62-301 and 84-104.01, Reissue Revised Statutes of Nebraska, 1943, and section 25-2221, Revised Statutes Supplement, 1972, relating to holidays; to designate May 30 as Memorial Day and November 11 as Veterans Day as prescribed, and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 25-2221, Revised Statutes Supplement, 1972, be amended to read as follows:

25-2221. Except as may be otherwise more specifically provided, the period of time within which an act is to be done in any action or proceeding, shall be computed by excluding the day of the act, event, or default after which the designated period of time begins to run. The last day of the period so computed is to be included unless it is a Saturday, a Sunday, or a day during which the offices of courts of record may be legally closed as provided in this section, in which event the period runs until the end of the next day on which the office shall be open.

Notwithstanding any other provision of law, all courts and their offices may be closed on Saturdays, Sundays, and these holidays: New Year's Day, January 1; Lincoln's birthday, February 12; Washington's birthday, the third Monday in February; Arbor Day, April 22; Memorial Day, ~~the last Monday in~~ May 30; Independence Day, July 4; Labor Day, the first Monday in September; Columbus Day, the second Monday in October; Veterans Day, ~~the fourth Monday in October~~ November 11; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25. If any such holiday falls on Sunday, the following Monday shall be a holiday. If any such holiday falls on Saturday, the preceding Friday shall be a holiday. Court offices shall be open on all other days.

Sec. 2. That section 62-301, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

62-301. (1) For the purposes of the Uniform Commercial Code and section 62-302, the following days

shall be holidays: New Year's Day, January 1; Lincoln's birthday, February 12; Washington's birthday, the third Monday in February; Arbor Day, April 22; Memorial Day, ~~the last Monday in May 30~~; Independence Day, July 4; Labor Day, the first Monday in September; Columbus Day, the second Monday in October; Veterans Day, ~~the fourth Monday in October November 11~~; Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25. If any of such dates fall on Sunday, the following Monday shall be a holiday.

(2) Any bank doing business in this state may, by a brief written notice at, on, or near its front door, fully dispense with or restrict, to such extent as it may determine, the hours within which it will be open for business.

(3) Any bank may close on Saturday if it states such fact by a brief written notice at, on, or near its front door. Where such bank shall, in observance of such a notice, not be open for general business, such day shall, with respect to the particular bank, be the equivalent of a holiday, as fully as if such day were listed in subsection (1) of this section, and any act authorized, required, or permitted to be performed at, by, or with respect to such bank which shall, in observance of such notice not be open for general business, acting in its own behalf or in any capacity whatever, may be performed on the next succeeding business day and no liability or loss of rights on the part of any person shall result from such delay.

(4) Any bank which, by the notice provided for by subsection (3) of this section, has created the holiday for such bank may, without destroying the legal effect of the holiday for it and solely for the convenience of its customers, remain open all or part of said day in a limited fashion by treating every transaction with its customers on said day as though said transaction had taken place immediately upon the opening of such bank on the first following business day.

Sec. 3. That section 84-104.01, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

84-104.01. The Governor shall issue his proclamation each year designating Veterans Day and calling upon the public schools and citizens of Nebraska to observe such day as a patriotic day. Veterans Day shall be ~~on the fourth Monday in October, annually~~ November 11, annually, unless such date falls on Saturday or Sunday, in which event the Governor may declare the

preceding Friday or the following Monday as Veterans Day. No business shall be transacted on that day at any department of the State of Nebraska, except for necessary maintenance, highway construction inspection or in case of emergency. In pursuance to such proclamation, suitable exercises having reference to the wars and military campaigns of the United States, of Nebraska's role therein, and honoring the veterans of such wars and campaigns may be held in all schools of the state, both public and private.

Sec. 4. That original sections 62-301 and 84-104.01, Beissue Revised Statutes of Nebraska, 1943, and section 25-2221, Revised Statutes Supplement, 1972, are repealed.