



128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 440

H.P. 320

House of Representatives, February 7, 2017

**An Act To Expand Absentee Balloting To Include Certain Residents
in Independent Living Facilities**

Reference to the Committee on Veterans and Legal Affairs suggested and ordered printed.

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

ROBERT B. HUNT
Clerk

Presented by Representative HOGAN of Old Orchard Beach.
Cosponsored by Senator CHENETTE of York and Representatives: ALLEY of Beals,
DUNPHY of Old Town, FECTEAU of Biddeford, HUBBELL of Bar Harbor, LUCHINI of
Ellsworth, NADEAU of Winslow, STANLEY of Medway, ZEIGLER of Montville.

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

2 **Sec. 1. 21-A MRSA §753-B, sub-§5**, as amended by PL 2011, c. 534, §20, is
3 further amended to read:

4 **5. Alternate method of balloting by residents of certain licensed facilities;**
5 **independent living facilities.** The municipal clerk shall designate one or more times
6 during the 30-day period prior to an election during which the municipal clerk shall be
7 present in each licensed nursing home subject to the provisions of Title 22, chapter 405;
8 licensed residential care facility subject to the provisions of Title 22, chapter 1664; and
9 assisted housing program subject to the provisions of Title 22, chapter 1664, in the
10 municipality for the purpose of conducting absentee voting by residents of these facilities.
11 The licensed residential care facilities or assisted housing programs referred to in this
12 subsection are those that are licensed to have 6 or more beds. The municipal clerk shall
13 designate one or more times during the 30-day period prior to an election during which
14 the municipal clerk shall be present in an independent living facility providing housing
15 for senior citizens to conduct absentee voting by residents of the facility as long as the
16 company managing the facility has requested the clerk to do so no later than 30 days
17 before the election and as long as an election official is present. The clerk shall designate
18 which areas in these facilities constitute the voting place, the voting booth and the
19 guardrail enclosure. Sections 681 and 682 apply to voting in these facilities within the
20 areas designated by the clerk.

21 **SUMMARY**

22 This bill requires municipal clerks to conduct absentee voting in independent living
23 facilities at the request of the management company managing the facility. The balloting
24 must be conducted in the presence of an election official.