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VETERANS AND LEGAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 840, L.D. 1204, Bill, "An Act Regarding Absentee Voting by Residents of Nursing Homes and Other Residential Care Facilities"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

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

5. Alternate method of balloting by residents of certain licensed facilities. The municipal clerk shall designate one or more times during the 30-day period prior to an election during which the municipal clerk shall be present in each licensed nursing home subject to the provisions of Title 22, chapter 405; licensed residential care facility subject to the provisions of Title 22, chapter 1664; and assisted housing program subject to the provisions of Title 22, chapter 1664, in the municipality for the purpose of conducting absentee voting by residents of these facilities. The licensed residential care facilities or assisted housing programs referred to in this subsection are those that are licensed to have 6 or more beds. The clerk shall designate which areas in these facilities constitute the voting place, the voting booth and the guardrail enclosure. The clerk shall post a notice in the municipal office that absentee voting will be conducted as prescribed in this subsection. The clerk shall provide a notice to each licensed facility of the date and time when absentee voting will be conducted. The notice must state that the licensed facility is required to notify the contact person or persons, if any, for each resident that absentee voting will be conducted. Each licensed facility must provide notice, which may be in the form of an e-mail or an electronic newsletter, to the contact person or persons, if any, for each resident of the date and time when absentee voting will be conducted at the facility. Sections 681 and 682 apply to voting in these facilities within the areas designated by the clerk.'

COMMITTEE AMENDMENT

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SUMMARY

This amendment replaces the bill, which proposes to prohibit the issuance of absentee ballots at nursing and residential care facilities to certain residents who have granted another person power of attorney in the absence of consent of that person who has been granted power of attorney. The amendment instead requires that the municipal clerk post notice of the date and time when absentee voting will be conducted at a licensed facility and requires the licensed facility to notify the contact person or persons, if any, for each resident at the facility that absentee voting will be conducted.

FISCAL NOTE REQUIRED

(See attached)