

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SEVENTH LEGISLATURE

Legislative Document

No. 107

H. P. 96

House of Representatives, January 7, 1975

Referred to Committee on Human Resources. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mrs. Goodwin of Bath.

Cosponsor: Mrs. Clark of Freeport.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-FIVE

AN ACT to Provide Accessible Polling Places for the Physically
Handicapped and the Elderly.

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

Sec. 1. 21 MRSA, §§ 604 and 605 are enacted to read:

§ 604. Definitions

As used in this section and section 605, unless the context otherwise indicates, the following words and phrases shall have the following meanings:

1. Local authority. "Local authority" means the local authority having jurisdiction over the selection of polling sites for voter elections;

2. Physical limitations. "Physical limitations" means limitations resulting from sight disabilities, hearing disabilities, disabilities of coordination, disabilities resulting from the normal aging process and any other disability that significantly reduces mobility, flexibility, coordination or perceptiveness;

3. Elderly. "Elderly" means one experiencing the normal process of aging, specifically at age 60 or over.

§ 605. Location of polling places

The local authority shall designate the location of polling places only in those buildings which have at least one entrance that provides access to all eligible voters with physical limitations and the elderly. Polling places shall be located on the first floor of such a building; or otherwise accessible by elevator.

When such buildings are not available, existing buildings may be modified to assure access to the polling places by employing a portable ramp. Gradient of such a ramp shall not exceed one inch of rise for each 12 inches of length to bypass steps and any abrupt changes in the surface level, including any curb between existing parking accommodations and the entrance to the building. When modifications are impractical, the local authority may designate an alternate polling place, as centrally located as possible, which is accessible for those with physical limitations and the elderly. Individuals intent on using such a polling place must so notify the board of voter registration in their respective city or town at least 10 days prior to the date of any local, state or national election.

Paper ballots shall be provided at all polling sites for use by those who are physically unable to operate a voting machine.

Sec. 2. Effective date. This Act shall become effective June 1, 1976.

STATEMENT OF FACT

Since 1967 Maine Law has required that all new buildings financed by public money be made accessible to and usable by persons with physical limitations. However, few polling places are located in such buildings. Historically, they are located at sites that present numerous architectural barriers for both those with physical limitations and the elderly — such barriers as steps with high risers, narrow doorways and flights of stairs. All of these must be challenged every time the handicapped or the elderly go to vote. This frequently results in embarrassing situations, not only for those with physical limitations, but also for those able-bodied persons who lack the knowledge to provide proper assistance for those needing it.

To avoid such challenges and embarrassments our many citizens with physical limitation together with many elderly, have but one recourse, that of making application for an absentee ballot and following the necessary inconveniences required to cast a vote in this manner. The right to vote is the most fundamental right of all citizens. Yet the inaccessibility of many polling places has, in effect, disenfranchised hundreds of our physically handicapped and elderly citizens.