

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 87

H.P. 74

House of Representatives, January 11, 1999

An Act to Require All Voting Places to be Accessible.

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

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative BAKER of Bangor.
Cosponsored by Senator TREAT of Kennebec and
Representatives: AHEARNE of Madawaska, CHIZMAR of Lisbon, DUNLAP of Old Town,
GAGNE of Buckfield, LaVERDIERE of Wilton, RINES of Wiscasset, WATSON of
Farmingdale, Senator: KILKELLY of Lincoln.

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

2 **Sec. 1. 21-A MRSA §630**, as amended by PL 1997, c. 436, §91,
4 is further amended to read:

6 **§630. Accessible voting places for the physically handicapped**

8 **1. Definitions.** As used in this section, unless the
context indicates otherwise, the following terms have the
10 following meanings:

12 A. "Accessible voting place" means a voting place in a
building in which the part of the building set aside for
14 voting meets the requirements for accessible routes of the
1981 standards of construction described in Title 25,
16 chapter 331.

18 ~~B. "Physical handicap" means an impairment which confines
an individual to a wheelchair; causes an individual to walk
with difficulty; affects the sight or hearing to the extent
that an individual functioning in public areas is insecure
or exposed to danger; or causes faulty coordination or
22 reduces mobility, flexibility, coordination and
24 perceptiveness to the extent that special facilities are
needed to provide for the safety of that individual.~~

26 **2. Voting places.** Each municipality must provide at least
28 one voting place that is in a building, which ensure that each
voting place is an accessible voting place as defined in
30 subsection 1.

32 ~~B. In municipalities in which one or more voting places are
inaccessible to handicapped voters and in which the office
34 of the clerk is in a building that is accessible as defined
in subsection 1, paragraph A, the municipal officers shall
36 designate the office of the clerk as an alternative voting
place for physically handicapped voters who reside in voting
38 districts that do not have accessible voting places. In
municipalities in which one or more voting places and the
40 office of the clerk are inaccessible to physically
handicapped voters and in which one or more voting places
42 are accessible to these voters, the municipal officers shall
designate one of these accessible voting places, as
44 centrally located as possible, as the alternative voting
place for physically handicapped voters who reside in voting
46 districts that do not have accessible voting places. A
physically handicapped voter who wishes to vote at an
48 alternative voting place must notify the clerk of the
municipality at least 48 hours before the date of any
50 election. This notice may be waived if an emergency
exists. The clerk shall keep a list of the persons who give
52 this notice.~~

2 Not later than 10 days before the date of any election, the
clerk shall issue a public notice designating the location
4 of the alternative accessible voting place. This notice is
not required in any municipality in which all or no voting
6 places are accessible to these persons.

8 When a physically handicapped voter votes at the office of
the clerk or at an alternative voting place, that voter
shall vote by absentee ballot and the method of voting must
10 be the same as in section 754-A. If the municipality has a
central voting place, then the handicapped voter may vote
12 there using a regular ballot for the applicable voting
district. If an alternative voting place is designated, the
14 clerk shall furnish a reasonable number of absentee ballots
and return envelopes to the warden. When the clerk or the
16 warden receives such a ballot, the clerk or warden shall
follow, as far as applicable, the same procedure prescribed
18 in subchapter IV for the clerk to follow in handling
absentee ballots.

20 **3. Alternative paper ballots.** At all voting places which
22 are equipped with voting machines, paper ballots must be provided
for use by voters who are physically unable to operate a voting
24 machine.

SUMMARY

28 Current law, since 1985, has required each municipality to
30 provide at least one voting place that is accessible to persons
with physical handicaps or impairments. Voters utilizing such
32 accessible voting places may use absentee ballots or be treated
differently from other voters. This bill requires such access at
34 all voting places.