



MALAS
Michigan Assisted Living Association
The Leader in Advocacy, Education, and Resources for Providers

January 24, 2012

The Honorable Pete Lund, Chair
House Committee on Redistricting and Elections
Michigan House of Representatives
P.O. Box 30014
Lansing, MI 48909-7514

Re: House Bill 5061

Dear Representative Lund:

Michigan Assisted Living Association represents 1,500 members statewide which include licensed homes for the aged and licensed adult foster care homes. Our organization supports the intent of House Bill 5061 to facilitate communication that ballot coaching is prohibited. However, we have several concerns with the bill as outlined below.

First, it is not clear to whom House Bill 5061 applies. The bill refers to "residential care facility" which includes, but is not limited to, homes for the aged and nursing homes. We recommend that the bill be specific as to its applicability rather than this general language. Otherwise, the Secretary of State will be unable to implement fully the bill's requirements.

Second, we recommend that the bill be clearer as to the posting requirement. The bill makes reference to an information display. The requirement should be a poster rather than a mini kiosk, free standing easel or other potentially cumbersome display. A poster requirement is more appropriate for residential care facilities, many of which provide services in small homelike settings.

Third, the bill would require the owner, operator, or facility director of a residential care facility to provide written acknowledgment to the Secretary of State that the information display provided by the Secretary of State is posted in a conspicuous place in the residential care facility. From our organization's perspective, this requirement would place an undue administrative burden upon both residential care facilities and the Secretary of State. This type of written acknowledgment procedure is not imposed by other state agencies for poster requirements.

As indicated above, our organization supports the intent of House Bill 5061. However, we consider the bill to be in need of revision for the reasons stated above.

Sincerely,



ROBERT L. STEIN
General Counsel

cc: Rep. Ed McBroom, Majority Vice-Chair
Rep. Martin Knollenberg
Rep. Sharon Tyler
Rep. Rick Outman

Rep. Al Pscholka
Rep. Barb Byrum, Minority Vice-Chair
Rep. David Nathan
Rep. Woodrow Stanley

