

Joint Committee on Joint Governmental Affairs

Minutes of Meeting
2019-2020 Interim
March 2, 2020

I. CALL TO ORDER

Representative Stephen C. Dwight, chairman of the Joint Committee on Joint Governmental Affairs, called the meeting to order at 10:07 a.m. in Room 6, in the state capitol in Baton Rouge, Louisiana.

II. ROLL CALL

HOUSE MEMBERS PRESENT:

Representative Stephen C. Dwight, chairman
Representative Reggie Paul "Bagala" Bagala
Representative Wilford Dan Carter, Sr.
Representative Royce Duplessis, vice chairman
Representative Les Farnum
Representative Valarie Hodges
Representative Dodie Horton
Representative Barry Ivey
Representative Michael T. Johnson
Representative Jeremy S. LaCombe
Representative Tanner D. Magee
Representative Candace N. Newell
Representative Rodney Wayne Schamerhorn
Representative Malinda B. White

SENATE MEMBERS PRESENT:

Senator Sharon W. Hewitt, chairwoman
Senator Jimmy Harris
Senator Barry S. Milligan, vice chairman
Senator Edward J. "Ed" Price
Senator Mike Reese
Senator Gregory W. Tarver, Sr.
Senator Glen Womack

HOUSE MEMBERS ABSENT:

Representative Foy Bryan Gadberry
Representative Charles Alexander Henry
Representative Sam L. Jenkins, Jr.

SENATE MEMBERS ABSENT:

Senator R. L. Bret Allain, II
Senator Franklin J. Foil

HOUSE STAFF MEMBERS PRESENT:

Patricia Lowrey-Dufour, legislative analyst
Lorrienne Lucas, attorney
Rosalie Ammersbach, committee administrative assistant

SENATE STAFF MEMBERS PRESENT:

Matthew R. DeVille, attorney
Laur`en Marinovich Cimino, secretary

ADDITIONAL ATTENDEES PRESENT:

James Bullock, sergeant at arms
Luis Carral, sergeant at arms
Anthony Lumbard, sergeant at arms

III. BUSINESS

Consideration and discussion of the recommendations from the Board of Ethics relative to suggestions for changes to the laws under the jurisdiction of the board.

(The video and audio recordings for the beginning of the Joint Governmental Affairs meeting is not available due to technical difficulties in House Committee Room 6.)

Kathleen M. Allen, Louisiana Board of Ethics, P.O. Box 4368, Baton Rouge, LA 70821, (225) 219-5600, provided a handout entitled, "2020 Recommendations by the Louisiana Board of Ethics", Exhibit A, which is included in the committee records.

Witness cards submitted by individuals who did not speak are as follows: 1 for information only. Witness cards are included in the committee records.

Consideration and discussion of the 2020 Annual Report of the State Board of Election Supervisors and other changes to the Election Code recommended by the Department of State.

Merietta Norton, office of the secretary of state, P.O. Box 94125, Baton Rouge, LA 70809, (225) 922-0547, provided information on a handout entitled, "Annual Report of the State Board of Election Supervisors", Exhibit B, which is included in the committee records.

Sherri Wharton Hadskey, office of the secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, (225) 603-8583, provided information on a handout entitled, "Annual Report of the State Board of Election Supervisors", Exhibit B, which is included in the committee records.

R. Kyle Ardoin, secretary of state, 8585 Archives Avenue, Baton Rouge, LA 70809, (225) 922-2880, provided information on a handout entitled, "Annual Report of the State Board of Election Supervisors", Exhibit B, which is included in the committee records.

The committee recessed at 10:34 a.m. The committee reconvened at 10:36 a.m.

Chairman Dwight announced that the Joint Governmental Affairs Meeting would relocate to House Committee Room 5.

The committee recessed at 10:37 a.m. The committee reconvened at 10:41 a.m.

Senator Price asked Mr. Ardoin if the registrars of voters had authority to limit the number of early voting days since they set the number of early voting days. Mr. Ardoin replied that they would be consistent in the number of early voting days. Senator Price suggested to Mr. Ardoin that the language should be clarified. Mr. Ardoin stated that he and his staff would work together to clarify the language.

Senator Hewitt asked Ms. Norton if the early voting commissioners would be certified by both the registrars of voters and the clerk of court. Ms. Norton replied that the clerk of court training and certification occurred when a clerk was reelected or a new clerk was elected, and was more generalized. Ms. Norton stated that the early voting commissioner training was more specific to the registrars of voters and the type of equipment that was used during the early voting period.

Senator Price asked Mr. Ardoin if the clerk of court determined whether or not a candidate was qualified. Mr. Ardoin replied that if an attorney or anyone challenged a candidacy, they would have needed to involve the qualifying officer, who is the clerk of court. Mr. Ardoin stated that the secretary of state and the clerk of court do not determine who was qualified for candidacy.

Representative LaCombe asked Mr. Ardoin if the commissioner was the only person that could ask for law enforcement to intervene at a polling location if an incident or disturbance occurred. Mr. Ardoin replied that the commissioner in charge was the only individual who had authority to call law enforcement officers to intervene at a polling location. Mr. Ardoin stated that law enforcement could not enter a polling location without the consent of the commissioner in charge.

Representative Ivey asked Ms. Norton to describe the type of acts a law enforcement officer could be asked to carry out at a polling location. Ms. Norton replied that the commissioner in charge may ask a law enforcement officer to escort an individual out of a polling location if the individual refused to leave. Ms. Norton stated that a law enforcement officer could be asked by the commissioner to preserve order at a polling location.

Representative Ivey asked Mr. Ardoin if an individual could be escorted out of a polling location for being disruptive, even if he had not placed his vote. Mr. Ardoin replied that whether an individual had voted or not, he is not allowed to be disruptive at a polling location, as that would affect the ability of others to perform their right to vote.

Representative Duplessis asked Mr. Ardoin if a candidate must notify the secretary of state when he chooses to withdraw, even if qualified with the clerk of court, and to describe the procedure for withdrawal. Mr. Ardoin replied that a candidate must notify the secretary of state of withdrawal by a notarized original, which could be sent by mail.

Chairman Dwight asked Mr. Ardoin to update the committee on voting machines and the Request for Proposal (RFP). Mr. Ardoin replied that he and his staff had been working with the Office of State Procurement through the Division of Administration on the RFP and that, after the technical committee convened to discuss the RFP, he and his staff would answer any questions the committee had and make necessary changes. Mr. Ardoin stated that it was up to the Office of State Procurement to put the RFP out for bid.

Senator Hewitt asked Mr. Ardoin if all or some of the voting machines were out for bid. Mr. Ardoin replied that they were making a complete change and bidding out a new voting system with all new equipment; however, he could not go into further detail until the RFP was out. Mr. Ardoin stated that the new voting machines and equipment would not be available for the 2020 presidential election in November and that they would renew the lease on the early voting equipment utilized in the last election cycle. Mr. Ardoin added that over half a million individuals voted during the early voting period, which represented 31 percent of all votes that were cast.

Senator Hewitt asked Mr. Ardoin for clarification on the funding and timeline of getting the new voting system and equipment in place. Mr. Ardoin replied that there would need to be a phase-in process, which includes training for local and commissioners. Mr. Ardoin said he anticipated that there would be \$12 million to fund the first phase of the phase-in process.

Senator Hewitt asked Mr. Ardoin if he would ask for \$1.3 million from the 2020 state budget during the 2020 legislative session. Mr. Ardoin replied that he would ask for funding from the 2020 state budget during the 2020 legislative session to be used only for voting equipment.

Representative Ivey asked Mr. Ardoin how long the lease term would be for early voting machines used in the prior election cycle. Mr. Ardoin said the lease would be for one year.

Mr. Ardoin introduced staff members and registrars present at the meeting.

IV. CONSIDERATION OF ANY OTHER MATTERS THAT MAY COME BEFORE THE COMMITTEE

There were no other matters for consideration.

V. ADJOURNMENT

The meeting was adjourned at 11:30 a.m.

Respectfully submitted,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Vice Chairman Royce Duplessis
Joint Committee on Joint Governmental Affairs

Date adopted: October 7, 2020