

House Committee on House and Governmental Affairs

Minutes of Meeting
2020 Regular Session
April 22, 2020

I. CALL TO ORDER

Representative Stephen C. Dwight, chairman of the House Committee on House and Governmental Affairs, called the meeting to order at 11:24 a.m. in the House Chamber, in the state capitol in Baton Rouge, Louisiana.

II. CHAIRMAN REMARKS

Chairman Dwight welcomed Representative Gerald "Beau" Beaulieu, IV, to the House Committee on House and Governmental Affairs.

III. ROLL CALL

MEMBERS PRESENT:

Representative Stephen C. Dwight, chairman
Representative Gerald "Beau" Beaulieu, IV
Representative Wilford Dan Carter, Sr.
Representative Royce Duplessis, vice chairman
Representative Les Farnum
Representative Foy Bryan Gadberry
Representative Charles Alexander Henry
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

MEMBERS ABSENT:

Representative Sam L. Jenkins, Jr.

STAFF MEMBERS PRESENT:

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

ADDITIONAL ATTENDEES PRESENT:

Danny Leming, sergeant at arms
Clarence R. Russ, sergeant at arms

IV. DISCUSSION**To discuss and consider the written emergency plan for the 2020 presidential preference primary election and the 2020 municipal general election submitted by the secretary of state in accordance with R.S. 18:401.3**

R. Kyle Ardoin, secretary of state, P.O. Box 94125, Baton Rouge, LA 70804, (225) 922-2880, discussed the written emergency plan for the 2020 presidential preference primary election and the 2020 municipal general election and provided handouts, which are in the committee records, as follows:

- Exhibit A, dated April 20, 2020, "Secretary of State Emergency Election Plan For The July 11, 2020 Presidential Preference Primary and August 15, 2020 Municipal General Elections In The State of Louisiana"; and
- Exhibit B, "State of Louisiana Official Absentee Ballot Application, COVID-19 Emergency Application".

Representative Hodges expressed concern to Mr. Ardoin regarding the emergency election plan and not having to show proof of identification when using an absentee ballot. She feared that it would set a precedent for future elections. Mr. Ardoin replied that an individual must show proof of identification to vote in person. He stated that the requirement to vote in person would be waived only for this temporary election plan, and processes would return back to normal after the 2020 presidential preference primary election and the 2020 municipal general election. Mr. Ardoin stated that his staff would work on addressing some of the potential issues and would be making additional adjustments to ensure that voting will be safe for all voters.

Representative Gadberry asked Mr. Ardoin to clarify if the emergency election plan and the COVID-19 Emergency Application for an absentee ballot were created for the vulnerable population or for anyone who was afraid of catching and spreading COVID-19. Mr. Ardoin replied that a person must be within the Centers for Disease Control and Prevention (CDC) guidelines of being within the vulnerable population. He stated that an individual who is caring for someone within the vulnerable population could receive an absentee ballot and would have to list the name of the individual in the vulnerable population.

Representative Gadberry asked Mr. Ardoin if drive-through voting could be an option for voters for the 2020 presidential preference primary election and the 2020 municipal general election. Mr. Ardoin replied that, because of the short time frame that was provided, drive-through voting would not be an option for the upcoming elections. Mr. Ardoin stated that drive-through voting could be considered for the presidential election in November 2020 if COVID-19 limitations continued.

Representative Newell commended Mr. Ardoin and his staff on their efforts to develop an emergency election plan for the state of Louisiana for the 2020 presidential preference primary election and the 2020 municipal general election and expressed her support with moving forward with the emergency election plan.

Representative Duplessis asked Mr. Ardoin if John Bel Edwards, governor of Louisiana, or the governor's office was involved in helping draft the emergency election plan. Mr. Ardoin replied that the governor and the governor's office were involved in drafting the emergency election plan; however, he and his staff had discussed the emergency election plan with Clay Schexnayder, speaker of the House, Stephen C. Dwight, chairman of House Committee on House and Governmental Affairs, Patrick Page Cortez, Senate president, Sharon Hewitt, chairwoman of the Senate Committee on Senate and Governmental Affairs, and Jeff Landry, attorney general. Mr. Ardoin stated that he had discussed the emergency election plan with the governor, and the plan had the governor's support.

Representative Duplessis asked Mr. Ardoin if the Louisiana Department of Health was involved in any of the conversations regarding the emergency election plan. Mr. Ardoin replied that he did not purposefully try to leave anyone out of the process of creating the emergency plan and that, because of limited time, he tried to involve as many people as possible to get a plan in place.

Representative Duplessis expressed concern to Mr. Ardoin about the number of categories that were listed on the State of Louisiana Official Absentee Ballot Application, COVID-19 Emergency Application, that an individual must meet to be eligible to receive an absentee ballot. He was concerned that someone might have had one of the health conditions listed, but had not been diagnosed by a physician, and asked if it should say "including but not limited to". Mr. Ardoin replied that it was an illustrative list that could provide voters with some direction. He stated that if the CDC had other conditions listed on their website or in their advisories, those would also be included.

Chairman Dwight asked Mr. Ardoin what the intent was for persons caring for an individual who is subject to a medically necessary quarantine or isolation order as a result of COVID-19, or who has been advised by a healthcare provider to self-quarantine due to COVID-19 concerns, to receive mail-in ballots for the upcoming election. Mr. Ardoin replied that the intent was to ensure that the person caring for an individual would not be exposed and spread the virus to the individual who was self-quarantining and isolated.

Representative Carter commended Mr. Ardoin on efforts to develop an emergency election plan for the state of Louisiana for the 2020 presidential preference primary election and the 2020 municipal general election and expressed his support for the plan.

M. Christian Green, League of Women Voters, 1308 Greenbriar Road, Lafayette, LA 70503, (404) 520-9326, spoke in opposition to the secretary of state's emergency election plan. Ms. Green was concerned with the reduction in eligibility criteria on the State of Louisiana Official Absentee Ballot Application, COVID-19 Emergency Application. She also had concerns with listing the name of the individual a person was caring for in order to be eligible for an absentee ballot. Ms. Green also stated that the absentee voting application process, in general, was an obstacle to voting, causing voter suppression.

Representative Dwight offered a motion to approve the emergency election plan, to which Representative Horton objected. The administrative assistant called the roll, and the motion passed by a vote of 11 yeas and 5 nays. Representatives Dwight, Beaulieu, Wilford Carter, Duplessis, Farnum, Henry, Ivey, LaCombe, Magee, Newell, and White voted yea. Representatives Gadberry, Hodges, Horton, Mike Johnson, and Schamerhorn voted nay.

Witness cards submitted by individuals who did not speak are as follows: 1 in support, 2 in opposition, and 2 for information only. Witness cards are included in the committee records.

Statements submitted in accordance with House Rule 14.33 in lieu of appearing before the committee are as follows: 108 in support, and 2 in opposition. Copies of these statements are included in the committee records.

V. ANNOUNCEMENTS

There were no announcements.

VI. ADJOURNMENT

Representative White offered a motion to adjourn. Without objection, the motion passed by a vote of 16 yeas and 0 nays. Representatives Dwight, Beaulieu, Wilford Carter, Duplessis, Farnum, Gadberry, Henry, Hodges, Horton, Ivey, Mike Johnson, LaCombe, Magee, Newell, Schamerhorn, and White voted yea.

The meeting was adjourned at 1:01 p.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
House Committee on House and Governmental Affairs

Date adopted: October 7, 2020