

**STATE BOARD OF ELECTION SUPERVISORS MEETING MINUTES FEBRUARY 9, 2022**

The February 9, 2022 meeting of the State Board of Election Supervisors was held in House Committee Room 4 at the State Capitol. Chairman Ardoin, called the meeting to order at 10:00 a.m., and Patricia Daigle was acting secretary.

The following members were present: Chairman, Secretary of State Kyle Ardoin; Sherry Hadskey, Commissioner of Elections; Ms. Robin Hooter, Clerk of Court’s Association; Joe Bishop, Police Jury Association; Erin Day, appointee of the Attorney General; and Pat Guidry, Registrar of Voters Association.

Ms. Hooter made a motion to approve the minutes of the January 29, 2021 meeting. Mr. Bishop seconded the motion. With no objection, the minutes were approved. Chairman Ardoin announced that Item number 25 would not be considered by the board.

Merietta Norton, General Counsel, Secretary of State presented the Omnibus recommendations to the board.

**NUMBER 1**

**EXPLANATION:** The proposed amendment would give the registrar of voters, chief deputy registrar of voters and confidential assistant one extra year to complete the Voter Registration Administrators’ Certification Program due to the difficulties in completing the classes for the certification program caused by a gubernatorially declared state of emergency that impacted the election process.

Ms. Day expressed concern regarding the language. Mr. Steve Raborn, Registrar of Voters, East Baton Rouge Parish provided testimony to the board. Chairman Ardoin made a motion to amend item number 1 to allow for renewals. Ms. Hadskey seconded the motion to approve item number 1 as amended. Item number 1 was approved as amended.

**NUMBER 2**

**EXPLANATION:** Allows an optometrist, physician’s assistant as defined in R.S. 37:1360.22 or nurse practitioner as defined in R.S. 37:913 to issue the disability certification for a voter. This amendment makes the statute consistent with other statutes providing for disability certifications.

Ms. Hadskey made a motion to approve item number 2, with no objection, item number 2 was approved.

**NUMBER 3**

**EXPLANATION:** Clarifies that the provision relating to voting in person for a first time voter who registered to vote by mail may vote in person at any location in the parish where early voting is being conducted rather than just the office of the registrar of voters.

Ms. Hooter made a motion to approve item number 3. With no objection, item number 3 was approved.

NUMBER 4

EXPLANATION: Clarifies that the general list referenced in the provision relating to the disclosure of the name and address of a law enforcement officer is the list of registered voters as provided in R.S. 18:31(B). (Requested by the Registrars of Voters Association.)

Mr. Brad Harris, IT Director for the Secretary of State provided testimony regarding item number 4. Ms. Day made a motion to approve item number 4 as amended. Without any objection item number 4 was approved.

NUMBER 5

EXPLANATION: Allows the Department of State and registrar of voters to provide the Department of Health the full date of birth and the mother's maiden name of a registered voter to allow the Department of Health to amend the birth certificate of a registered voter. (Requested by Andi Matheu, Tangipahoa Parish Registrar of Voters)

Andi Matheu provided testimony to the board. Ms. Hadskey made a motion to approve item number 5 and Mr. Bishop seconded the motion. With no objections, being heard item number 5 was approved.

NUMBER 6

EXPLANATION: Allows an alternate member or designee to be appointed to the parish board of election supervisors by the governor or the recognized political parties to establish a quorum to serve at meetings and perform the statutorily mandated election duties and provides for the compensation of the designee. Ms. Hooter made a motion to approve item number 6. Without any objection, item number 6 was approved.

NUMBER 7

EXPLANATION: Amends the statute to make a technical correction to provide that an alternate member or designee of the parish board of election supervisors may be paid for the same number of days for board meetings as other members of the board.

Mr. Bishop made a motion to approve item number 7. With no objections being heard item number 7 was approved.

NUMBER 8

EXPLANATION: Clarifies that the members of the parish board of election supervisors shall be paid for meetings for the presidential and regularly scheduled primary election.

Ms. Hooter made a motion to approve item number 8. With no objections being heard item number 8 was approved.

NUMBER 9

EXPLANATION: Allows the deadline for the course of instruction for commissioners-in-charge to be extended until on or before January 31st of the year following a gubernatorially declared state of emergency to give the clerks of court more time to complete the courses of instruction when there is a shortage of employees of the clerks of court to assist in the training and a shortage of commissioners to

attend the courses due to issues with the gubernatorially declared state of emergency that make it impossible to complete the courses of instruction by the current statutory deadline of December 31st. Also provides for the meeting of the parish board of election supervisors to select the commissioners-in-charge and provides for their terms of office when the courses of instruction are moved after a gubernatorially declared state of emergency.

Ms. Hooter made a motion to approve item number 9. Without any objections being heard item number 9 was approved.

#### NUMBER 10

EXPLANATION: Deletes the reference to a provision in R.S. 18:431(A)(5) that was repealed by Act 176, 2017 Regular Session, effective June 14, 2017, in R.S. 18:434(D)(2) and replaces it with the correct statute. Ms. Hadskey made a motion to approve item number 10. Without any objection, item number 10 was approved.

#### NUMBER 11

EXPLANATION: Technical amendment to provide that the list of watchers shall be filed by the tenth business day before the general election to make this consistent with the filing deadline for the primary election.

Ms. Hadskey made a motion to approve item number 11. Without any objection, item number 11 was approved.

#### ITEM NUMBER 12

EXPLANATION: Provides that the secretary of state instead of the governor shall publish the proclamation calling the special election to fill a vacancy in certain local and municipal offices in the official journal of each parish in which the election is to be held to put in the statute

Ms. Hadskey made a motion to approve item number 12. Without any objection, item number 12 was approved.

#### NUMBER 13

EXPLANATION: Amends the statute to delete the postmark on the recall petition or the receipt of the return receipt request form as acceptable methods for the filing the recall petitions with the secretary of state and provides that the only acceptable method for filing recall petitions is the receipt of the recall petition by the secretary of state and requires the secretary of state to produce a list of the number of qualified electors in the jurisdiction of the office being recalled. This allows the list of the number of qualified electors that is required for the recall to be current as of the date of the filing with the secretary of state because the secretary of state cannot produce a report of the list of qualified electors with a previous date on a postmark or a return receipt form.

Ms. Hadskey made a motion to approve item number 13. Without any objection, item number 13 was approved.

NUMBER 14

EXPLANATION: Provides that the specifications of the absentee by mail ballot envelope shall be determined by the secretary of state and requires the approval of the specifications by the attorney general. The proposed amendment gives the secretary of state the latitude to determine the specifications that are necessary to effectively conduct the statutorily mandated duties relating to the preparation of the absentee by mail ballot envelopes.

Ms. Hadskey made a motion to approve item number 14. Without any objection, item number 14 was approved.

Proposed amendment by Ms. Day to remove the approval of the attorney general.

Ms. Hadskey made a motion to approve item number 14 as amended. With no objection, item number 14 was approved as amended.

NUMBER 15

EXPLANATION: Gives the secretary of state the authority to take all actions reasonably necessary to allow registered voters who are unable to vote during early voting or at the polling place on election day due to out-of-parish and out-of-state work responsibilities relating to a declared emergency to vote. Currently, this provision only applies to workers who are out-of-state and this amendment would provide the same benefit for voting absentee by mail for workers who are out-of-parish.

Ms. Hooter made a motion to approve item number 15. Without any objection, item number 15 was approved.

NUMBER 16

EXPLANATION: Provides that the registrar of voters can submit a request to the secretary of state for early voting commissioners from other parishes for early voting held within a year of a gubernatorially declared state of emergency due to a shortage of early voting commissioners caused by the emergency. The early voting commissioners from the other parishes need to be certified with the appropriate training so that the registrar of voters making the request can conduct early voting and maintain the integrity of the process with experienced early voting commissioners.

Ms. Hadskey made a motion to approve item number 16. Without any objection, item number 16 was approved.

NUMBER 17

EXPLANATION: Requires absentee by mail ballots to be held inviolate in the envelope or container holding the ballots until the recount of the ballots is held to make sure the integrity of the absentee by mail ballots is maintained and no ballots are lost or tampered with. This applies for the recount of the absentee by mail ballots for parishes that have 1,000 or less absentee by mail ballots as well as the parishes that have 1,000 or more absentee by mail ballots.

Ms. Hadskey made a motion to approve item number 17. Without any objection, item number 17 was approved.

NUMBER 18

EXPLANATION: Deletes the antiquated requirement to announce the results after the tabulation and counting has concluded and requires a member of the parish board of election supervisors to post the final absentee by mail and early voting results report at the location where the absentee by mail and early voting ballots are being tabulated and counted. This amendment applies in the parishes that have 1,000 or less absentee by mail ballots as well as the parishes that have 1,000 or more absentee by mail ballots. (Requested by the Registrar of Voters Association.)

There was discussion for an amendment to the language to be worked on before submitting the final report of the board.

Ms. Hadskey made a motion to approve item number 18. Without any objection, item number 18 was approved.

MISCELLANEOUS RECOMMENDATIONS

NUMBER 19

EXPLANATION: Provides an exception for a person who registered to vote by mail and has not voted in person to submit an application to vote absentee by mail and an affidavit attesting that he is displaced from his residence due to a gubernatorially declared state of emergency, that he is eligible to vote in his parish of residence and that he expects to be out of his parish of registration during early voting and on election day to vote absentee by mail if the registrar of voters has determined that the person has not registered to vote in another parish or state. This exception shall apply as long as the state is under the gubernatorially declared state of emergency and the person has not voted in person early or on Election Day during the time period covered by the gubernatorially declared state of emergency. The amendment also requires the registrar of voters to transfer the person's registration if the person registered to vote in another parish in this state or cancel the person's registration if the person registered to vote in another state.

Ms. Day made a motion to strike item number 19. Without any objection, item number 19 was removed from the recommendations.

NUMBER 20

EXPLANATION: Authorizes the registrar of voters, Department of State and clerk of court to disclose the name and address of a law enforcement officer during the time between qualifying and the general election who has qualified as a candidate for election to an office. The registrars of voters have previously been requested by candidates for the addresses of law enforcement officers for the purpose of verifying eligibility of the law enforcement officers to run for office. (Requested by the Registrars of Voters Association.)

Ms. Hadskey made a motion to approve item number 20. Without any objection, item number 20 was approved.

NUMBER 21

EXPLANATION: Increases the pay for the members of the parish board of election supervisors from \$50 to \$150 per each day due to the extensive amount of time the parish board of election supervisors work to perform their statutorily mandated election duties, especially during the counting and tabulation of absentee by mail and early voting on election night.

Ms. Hadskey made a motion to approve item number 21. Without any objection, item number 21 was approved.

#### NUMBER 22

EXPLANATION: Provides that the list of watchers shall contain the signature of the candidate who is submitting the watcher list and the signed watcher list is required to be submitted by the filing deadline set forth in the statute. This helps to address the problem when a list of watchers has been submitted without the permission of the candidate. (Requested by the East Baton Rouge Parish Clerk of Court's office.)

Mr. Brandon Abadie provided testimony to the board regarding item number 22.

No action was taken on item number 22.

#### NUMBER 23

EXPLANATION: Allows the parish president to change the location of a polling place if the polling place becomes unavailable during the period commencing on the date the qualifying period opens and ending on the date of the general election or, in the case of an election date exclusively for bond, tax, or other propositions or questions, during the period commencing on the forty-sixth day prior to the election and ending on the date of the election unless the polling place becomes unavailable due to an emergency caused by an act of God or when privately owned property being used as a polling place becomes unavailable through no fault of the governing authority. This allows the parish president to change the polling place on an expedited basis to avoid the delay that may be caused by having to wait for the parish governing authority to hold one and sometimes two meetings to make the polling place change.

Chairman Ardoin made a motion to amend the language of parish president. Ms. Hadskey made a motion to approve item number 23 as amended. Without any objection, item number 23 was approved.

#### NUMBER 24

EXPLANATION: Amends the acceptable reasons to vote absentee by mail provided in R.S. 18:1303 and allows a person to submit an application to vote absentee by mail provided in R.S. 18:1307, if the person was not absent from the parish during early voting and discovers after early voting has concluded that he will be absent from the parish on election day and he did not vote during early voting. (Requested by the Registrar of Voters Association.)

Ms. Day made a motion to strike item number 24. With no objection item number 24 was removed from the recommendations.

Item 25 was not considered.

#### NUMBER 26

EXPLANATION: Provides that a challenge for cause shall not include the failure of the voter to put the election date, the incorrect election date, the failure of the voter to put the ward or precinct of the voter or the incorrect ward or precinct of the voter on the envelope flap that contains the voted absentee by mail ballot to clarify the grounds for a challenge and give the parish board of election supervisors guidance when the absentee by mail ballot is challenged.

Chairman Ardoin made a motion to strike item number 26. Without any objection item number 26 was removed from the recommendations.

NUMBER 27

EXPLANATION: Provides that a parish governing authority may contract for the delivery of voting machines to early voting locations in parishes that have 3 or more early voting locations. This gives the registrars of voters assistance in the delivery of the voting machines to make sure the voting machines are delivered timely to the early voting locations. (Requested by the Registrars of Voters Association.)

Chairman Ardoin made a motion to approve item number 27. Without any objection, item number 27 was approved.

NUMBER 28

EXPLANATION: Clarifies that no redistricting plan shall be implemented unless the information required for the redistricting plan is received by the secretary of state prior to 4:30 p.m. four weeks prior to the date the qualifying period opens through the date of the general election due to the possibility that redistricting plans will be submitted after qualifying and before the date of the primary election which would prevent the secretary of state from having sufficient time to implement the redistricting plans and prevents changes in the jurisdiction for offices where candidates have already qualified. The proposed amendment would allow technical corrections to be made during the prohibited time period that will allow the jurisdiction of the offices to be corrected prior to the opening of qualifying.

Mr. Bishop made a motion to approve item number 28. Without any objection, item number 28 was approved.

Meeting adjourned at 12:09 p.m.