

## **Mississippi Legislative Update, March 3, 2012**

This week has been very busy at the Capitol with the rush of committee meetings and the upcoming deadline (March 6th) for committees to report on general bills. And there has been some development on public records legislation and voter identification legislation.

### **Public Records:**

*House Bill 1090* revises the fees charged for providing public records by placing a fifty cents (\$0.50) per page cap for duplicating copies of public records. This bill also allows the public body to charge for staff time for searching, reviewing and responding to the public records request. However, any staff time included in the cost to search, review and respond shall be at the pay scale of the lowest level competent employee. Chairman Mark Baker was provided with suggested changes to the bill including removing the fifty cent cap but the House Judiciary A Committee passed the bill without making the suggested changes. The House Ways & Means Committee also passed this bill and it is now ready to be put on the House Calendar. Attached please find a copy of *House Bill 1090* as it was passed in House Judiciary A Committee and House Ways & Means Committee.

***Action is needed to change House Bill 1090. Please call your representative or Rep. Mark Baker and ask them to remove the fifty cent per page cap on duplicating copies.***

*Senate Bill 2734* revises the Public Records Act to clarify that public access to a public record will not be diminished because components of data are stored in a certain manner. I worked with Senator David Blount and the Mississippi Center for Public Policy to draft an amendment to *Senate Bill 2734* to include restrictions on the actual costs and fees charged in providing public records. The amendment provides that "any staff time or contractual services included in actual cost shall be at the pay scale of the lowest level employee or contractor competent to respond to the request." Further, the amendment provides a civil penalty of \$100 per violation to any person "who charges an unreasonable fee for providing a public record." The Senate Committee on Accountability, Efficiency and Transparency approved the amendment and passed the bill this morning.

***Action is needed to ensure support for Senate Bill 2734. Please call you senator and ask them to support Senate Bill 2734.***

### **Voter Identification:**

*House Bill 921* requires voter identification to be used at all elections. This bill came up in the House Apportionment and Elections Committee meeting on Thursday. Representatives from the Secretary of State's Office (SOS) spoke to committee members during the meeting. The SOS said that there were instances where people misrepresented who they were when voting but they could not give any specific examples of this happening. The SOS also told committee members that they had a meeting with many different interest groups and other organizations to discuss the issues and ideas concerning voter identification. The SOS stated that the ACLU, MS Republican Party, MS Democratic Party, NAACP and many other groups attended the meeting. However, the ACLU, NAACP and League of Women Voters did not attend the meeting described by the SOS. Representatives from the ACLU and NAACP were not at the committee meeting and unable to tell committee members that they had not in fact met with the SOS. The SOS went on to point out that it is older voters that do not have photo ID but they would have intensive

programs in place so they will be able to go out and find those without ID. After more discussion, the committee passed *House Bill 921*. Attached please find *House Bill 921* as it was passed in the House Apportionment and Elections Committee.

***Action is needed on House Bill 921. Please call your representative and tell them that the Secretary of State's Office has not met with different interest groups such as the ACLU, League of Women Voters or the NAACP about voter identification. Please ask your representative to ask questions on the House floor about the costs of issuing IDs, specific examples of voter fraud or voter misrepresentation and who will be affected by the voter ID requirement. Please ask your representative to VOTE NO ON HOUSE BILL 921.***

The deadline for Committees to report on general bills is Tuesday, March 6th. Attached please find the House and Senate Committee Lists, House and Senate Rosters, House Bill 1090 and House Bill 921.

--Elizabeth Crowell