EXECUTIVE GOVT + POLITICS LEGISLATIVE

Louisiana Legislature overrides Gov. Edwards' veto of congressional map

BY: **WESLEY MULLER AND GREG LAROSE** - MARCH 30, 2022 6:18 PM

EXHIBIT
GX-19

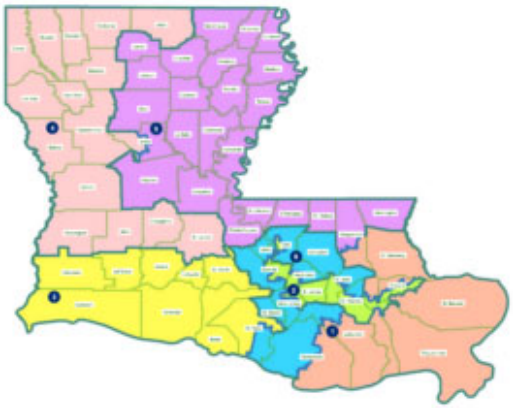
A relief map of Louisiana sits at the center of Memorial Hall in the Louisiana State Capitol. (Greg LaRose/Louisiana Illuminator)

The shape of Louisiana's congressional districts will likely be decided in a federal court now that the Republican-led state Legislature has overridden Democratic Gov. John Bel Edwards' veto of a map that limits the state to one majority-Black district out of six in the U.S. House of Representatives.

Edwards and voters' rights groups have said a second minority district needed to be added to account for the nearly 33% of Louisiana residents who are Black. A lawsuit challenging the GOP's map in House Bill 1 was filed shortly after the veto session adjourned Wednesday afternoon.

"We have done simple math ad nauseam," Rep. Royce Duplessis, D-New Orleans, said before the House voted to override Edwards' veto. "One-third of six is two. This body continues to disregard simple math... We continue to disregard the fact that House Bill 1 is rife with politics."

Lawmakers held a special redistricting session in February to create new political maps based on the 2020 Census. Although 40% of Louisiana residents identify as minorities, all of the maps created maintained the status quo in racial representation.



A map of congressional districts in Louisiana as configured in House Bill 1.

Edwards only vetoed two identical versions of congressional map but let proposals for the state school board, Public Service Commission and the Louisiana House and Senate become law. The Legislature could not agree on a new map for the Louisiana Supreme Court, which they are not required to redistrict by law like the other political bodies.

"I'm obviously disappointed. I'm certainly not surprised," Edwards said about the veto override.

Republicans hold the majority in both chambers of the Legislature, but a supermajority of two-thirds is needed to override a veto. The GOP holds the needed 27 seats in the Senate but only has 68 in the House – two short of a supermajority.

The House override vote was 72-31. One Democrat, Rep. Francis Thompson, D-Delhi, bucked party ranks as expected and aligned with Republicans in support of the override. Joining him were the three independents in the House: Roy Daryl Adams of Jackson, Joe Marino of Gretna and Malinda White of Bogalusa.

The Senate vote was 27-11 along party lines, marking the third time in history the Legislature has overridden a gubernatorial veto since the Louisiana Constitution was ratified in 1974. The most recent occasion was in 1993 when Gov. Edwin Edwards was in office.

It took legislators just two hours to move House Bill 1 through both chambers. A second version of the congressional district map, Senate Bill 5, was shelved in favor of the House version, which Speaker Clay Schexnayder authored.

"For the first time in history, the Louisiana Legislature overrode a gubernatorial veto during a veto session. Today, the overwhelming will of the legislature was heard," Schexnayder said in a

statement. "House Bill 1 fulfills our constitutionally mandated duty to redistrict Congress. It also shows true legislative independence and a clear separation of power from the executive branch."

Edwards implied with very little subtlety that a federal court will force Louisiana to redraw its congressional map, continuing a trend of federal oversight that has been in place since the Voting Rights Act was approved in 1965. This was the first redistricting session in which the state did not have to obtain pre-clearance of its proposed maps from the U.S. Department of Justice.

Gov. John Bel Edwards is flanked by the Legislative Black Caucus at a press conference March 30, 2022, after the Louisiana Legislature's veto override session. (Piper Hutchinson/LSU Manship News Service)

"Nobody should have to have a Voting Rights Act to tell them what is right and what is fair," the governor said. "Nobody should have to have a court interpret and apply the Voting Rights Act to tell us that what we did was unfair."

Before the vote in the upper chamber, Sen. Katrina Jackson, a Black Democrat from Monroe, said minorities have had to watch over the past year as voting rights were attacked based on problems with elections that don't exist. She specifically mentioned the outcome of the 2020 presidential race, which Donald Trump has repeatedly claimed without proof that he lost as the result of voter fraud.

"Minorities in this state are not fairly represented in Congress," Jackson said. "That's the bottom line."

Sen. Jimmy Harris, D-New Orleans, questioned whether the veto session itself was legal, referring to the scheduling quagmire that prompted the Legislature to temporarily adjourn its regular session in order to convene a veto session. Democrats have argued that the Louisiana Constitution doesn't allow such a procedure.

"I do believe when history looks back at this, people will see there was an opportunity to draw a second minority district and the will of the Legislature was not there," said Harris, who is Black.

Soon after the Legislature adjourned the veto override session, a lawsuit was filed that claims the congressional map violates federal law. A statement from NAACP Legal Defense and Educational Fund said its complaint had been filed in federal court in Baton Rouge to stop Secretary of State Kyle Ardoin, the state's top election official, from recognizing the maps for this fall's congressional elections. Other plaintiffs include the American Civil Liberties Union, Power Coalition for Equity and Justice and five individual voters.

Democratic lawmakers and the governor repeatedly referred to the historical implications of the vote as it was perhaps the final opportunity for lawmakers to determine whether

Louisiana's minority residents are represented fairly in Congress for the next 10 years.

"I slept good last night, and I'm going to sleep good tonight," Edwards said at his press conferenced, flanked by members of the Legislative Black Caucus. "Because I know I did the right thing. And I know that I and these people here behind me are on the right side of history on this one."

When asked if he thought about how future generations might look upon his decision to support the override, Rep. Larry Bagley, a Republican from the Shreveport suburb Stonewall, said he never casts a vote based on such existential reasoning.

"The only thing I think of in every vote I make is how it's going to affect everybody in my district," Bagley said. "Every time I vote I think, 'How does this impact them? Is this what the majority of my people want?' and I do not have any trouble with my votes."

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WESLEY MULLER

Wes Muller traces his journalism roots back to 1997 when, at age 13, he built and launched a hyper-local news website for his New Orleans neighborhood. In the years since then, he has freelanced for the Times-Picayune in New Orleans and worked on staff at the Sun Herald in Biloxi, WAFB-9News CBS in Baton Rouge, and the Enterprise-Journal in McComb, Mississippi. He also taught English as an adjunct instructor at Baton Rouge Community College. Much of his journalism has involved reporting on First Amendment issues and coverage of municipal and state government. He has received recognitions including McClatchy's National President's Award, the Associated Press Freedom of Information Award, and the Daniel M. Phillips Freedom of Information Award from the Mississippi Press Association, among others. Muller is a New Orleans native, a Jesuit High School alumnus, a University of New Orleans alumnus and a veteran U.S. Army paratrooper. He lives in Ponchatoula, Louisiana, with his two sons and his wife, who is also a journalist.

MORE FROM AUTHOR

GREG LAROSE

Greg LaRose has covered news for more than 30 years in Louisiana. Before coming to the Louisiana Illuminator, he was the chief investigative reporter for WDSU-TV in New Orleans. He previously led the government and politics team for The Times-Picayune | NOLA.com, and was editor in chief at New

government and politics team for The Times-Picayune | NOLA.com, and was editor in chief at New Orleans CityBusiness. Greg's other career stops include Tiger Rag, South Baton Rouge Journal, the Covington News Banner, Louisiana Radio Network and multiple radio stations.

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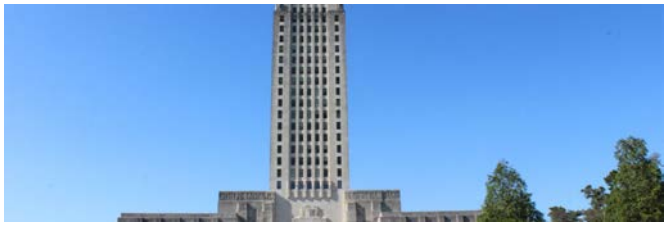

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