SPEAKER CLAY SCHEXNAYDER: Started. House will come to order. Members vouching machines. Vouching machines. Miller is here. [INDISCERNIBLE 00:00:12] is here. Green is here. Amy Freeman is here. Stagney is here. Bishop is here. Dodie Horton is here. The voting members. The voting. All right. Close them up. 103 members in the court room. Today, the house would be open in prayer by representative, Miller.

REPRESENTATIVE GREG MILLER: Thank you, Mr. Speaker. It's representative Greg Miller. Not to be confused with my cousin Representative Dustin Miller. Wonderful to have the opportunity to begin our legislative day in leading all of us in prayer. In the letter of James, he wrote, my brothers and sisters, consider it a great joy when trials of many kinds come up on you for you know well that the testing of your faith, perseverance must complete its work so that you would become fully-developed, complete, not deficient in any way. Less than six months ago, my region was hit hard by Ida leaving many with what looked to many as an overwhelming task. The situation may have seemed bleak and hopeless to us at the time but we were given hope. I can't

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tell you how the support of you that you showed our region after by bringing us supplies, fuel, food, meals and your prayers. It just gave us hope. It gave us the strength and the perseverance to continue when our faith was tested. Thanks to all of you, each and every one of you for everything that you did for our region after the storm and that you continue to do. Please join us in praying for the continued strength and perseverance and hope of our region as we continue to recover. Let's pray. Mighty God, thank you that you are my strength and my song. You fill my heart with joy. You have promised that those who hope in you will have their strength renewed. They will soar on wings like eagles. They will run and not grow weary. They will walk and not be faint. Strengthen me according to your word. Remind me that my strength is found in you and your mighty power. Blessing and glory, wisdom and thanksgiving, honor and power and strength be onto you my God forever and ever. Through Jesus Christ our lord. Amen. Thank you.

SPEAKER CLAY SCHEXNAYDER: Representative Fisher will lead us in the pledge.

REPRESENTATIVE FISHER: To the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SPEAKER CLAY SCHEXNAYDER: Morning hour four.

HOUSE CLERK MICHELLE FONTENOT: Wednesday, February 9, 2022. The House of Representative was called to order by the Honorable Clay Schexnayder, Speaker of the House of Representatives. The role being called to following members.

SPEAKER CLAY SCHEXNAYDER: Representative Stagney moves with this incidental reading of the journal without objection so ordered. Morning hour five.

HOUSE CLERK MICHELLE FONTENOT: Message from the senate. The senate has passed the following Senate Bills. Senate Bill 14, Senate Bill 19, respectfully submitted Yolanda Dickson, Secretary of the Senate. Senate Bill 14 by President Cortez to enact Title 17 or Appeal of Provision and Title 17 relative to redistricting provide for election districts for the State Board of Elementary and Secondary Education provided for

election of members. That Bill lies over. Senate Bill 19 by Senator Reese to enact Title 45 to repeal a provision entitled 45 relative to redistricting provides for election districts for the public service commission provided for the re-election of commissioners and that bill lies over.

[00:05:05]

SPEAKER CLAY SCHEXNAYDER: Morning hour 13.

HOUSE CLERK MICHELLE FONTENOT: Second Bill is on the second reading to be referred to committee. Senate Bill 5 by Senator Hewitt to enact Title 18 or repel of provision in Title 18 relative to Congressional Districts provides for the redistricting of the Louisiana's congressional districts provided with respect to positions and offices other than congressional which are based on congressional districts provide for effectiveness.

SPEAKER CLAY SCHEXNAYDER: House and governmental. Morning hour 16.

HOUSE CLERK MICHELLE FONTENOT: House Bill 14 by Speaker Schexnayder reported from House and Governmental Affairs with amendments.

SPEAKER CLAY SCHEXNAYDER: Representative Stefanski moves the bill be ordered in gross and passed to as third reading. Regular order number 5.

HOUSE CLERK MICHELLE FONTENOT: Mr. Speaker and members, Speaker Pro Tem Magee moves to call from the calendar on the notice given list House Bill 1.

SPEAKER CLAY SCHEXNAYDER: Without objection.

HOUSE CLERK MICHELLE FONTENOT: House Bill 1 by Speaker Schexnayder to an act titled Provision Title 18, a repeal of provision in Title 18 relative to congressional districts provided with respect with redistricting of Louisiana Congressional Districts provides for positions and offices.

SPEAKER CLAY SCHEXNAYDER: Speaker Pro Tem Magee.

REPRESENTATIVE TANNER MAGEE: Thank you, Mr. Speaker. Members, I think we all know what this is. This is House Bill 1. I've been thinking a lot about this for a little while now and a friend of mine told me something last night. He used to serve in this body. He said, "You know

1 what? Actually, the news on redistricting is
2 better than you are giving it credit for because
3 the last time you all redistrict, the State of
4 Louisiana lost a congressman. And now, you're
5 keeping what you have and hopefully next time,
6 you're gaining a congressman back". And I think
7 that's the way I should look at it. I thought
8 that was really good advice. And last time, it
9 was just pretty destructive for us because even
10 though Houma and Lafourche Parish, Terrebonne and
11 Lafourche Parishes were gaining population that
12 time, one of the fastest growing in the entire
13 state, we were asked to give up our congressman
14 and ultimately, we're forced into giving up our
15 congressman that we had enjoyed through our
16 history. And so, we come here before you and what
17 we really have to do is just keep what we have.
18 And that's exactly what this map does. Yes, it's
19 malapportioned. Certain districts lost. Certain
20 districts gained but it keeps the status quo. And
21 it's based off the traditional lines of this body
22 that has drawn before, that has passed legal
23 muster, and we believe this map will also pass
24 legal muster, but it keeps two in the north and
25 breaks up the south the way the traditional lines

have always been broken up, moving those districts around in order to make sure the population stays. With that, Mr. Speaker, I'm happy to answer any questions that you may have.

SPEAKER CLAY SCHEXNAYDER: All right. We do have a question. Representative Duplessis with questions.

REPRESENTATIVE ROYCE DUPLESSIS: Thank you, Mr. Speaker. Mr. Pro Tem, you mentioned that this bill keeps things the same. We were fortunate to not lose any people, lose any congress people. Did you notice that there were some other changes in the population over the last ten years?

REPRESENTATIVE TANNER MAGEE: The State of Louisiana grew by 124,385 people or 2.74%.

REPRESENTATIVE ROYCE DUPLESSIS: Did you know that the white population decreased by 6.3% and the black population increased by 3.78%?

REPRESENTATIVE TANNER MAGEE: That's what the testimony has been, yes.

REPRESENTATIVE ROYCE DUPLESSIS: No, that's what the census data is.

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE ROYCE DUPLESSIS: Did you know? Okay.

REPRESENTATIVE TANNER MAGEE: That's what I'm saying.

REPRESENTATIVE ROYCE DUPLESSIS: Does this map reflect those changes?

REPRESENTATIVE TANNER MAGEE: It reflects the traditional boundaries that we've always had, re-adjusting those districts to account for all population shifts.

REPRESENTATIVE ROYCE DUPLESSIS: Does this map reflect the racial changes that I just mentioned?

REPRESENTATIVE TANNER MAGEE: That is not something that I think is the primary driver, is an important driver, is a factor but this map was based off of maintaining their traditional maps that we've always had in the State of Louisiana.

[00:10:11]

REPRESENTATIVE ROYCE DUPLESSIS: Okay. You mentioned that the bill was legal. What gives you the basis to say that this bill is legal? Why is it legal?

REPRESENTATIVE TANNER MAGEE: It's legal.

REPRESENTATIVE ROYCE DUPLESSIS: Under what criteria?

REPRESENTATIVE TANNER MAGEE: Look, legality is an opinion, first of all. Second of all, I'm referencing Federal law, but in my opinion, it's legal.

REPRESENTATIVE ROYCE DUPLESSIS: What Federal law are you referencing?

REPRESENTATIVE TANNER MAGEE: Yeah, look. I'm still new that I'm not going to get into debate over what law I had picked up pieces of law. You could ask a hundred different lawyers, a hundred lawyers give you different interpretation. I'm telling you in my opinion based off everything I heard, I believe the map to be legal.

REPRESENTATIVE ROYCE DUPLESSIS: I'm not sure I understood your answer. I just asked a question because you said it was legal. So, my question is why is it legal and what Federal law are you referencing?

REPRESENTATIVE TANNER MAGEE: What I'm saying is after hearing all the testimony and considering all the facts, I believe this bill is legal.

REPRESENTATIVE ROYCE DUPLESSIS: Are you familiar with the Voting Rights Act?

REPRESENTATIVE TANNER MAGEE: I'm not an expert in the Voting Rights Act.

REPRESENTATIVE ROYCE DUPLESSIS: You're not an expert?

REPRESENTATIVE TANNER MAGEE: No.

REPRESENTATIVE ROYCE DUPLESSIS: Okay. You're a lawyer?

REPRESENTATIVE TANNER MAGEE: I am a lawyer.

REPRESENTATIVE ROYCE DUPLESSIS: Okay. But you are familiar with the Voting Rights Act?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE ROYCE DUPLESSIS: Let me ask you this. Would you disagree that we are required under the Voting Rights Act to make every attempt possible, when possible, to give communities of color, minorities, the opportunity, a reasonable opportunity to elect a candidate of choice. Would you disagree with that?

REPRESENTATIVE TANNER MAGEE: I'm not an expert on Federal Election Law.

REPRESENTATIVE ROYCE DUPLESSIS: But you said the bill was legal. Did you not?

REPRESENTATIVE TANNER MAGEE: I am not expert on Federal legal law in this regard.

REPRESENTATIVE ROYCE DUPLESSIS: But you said the bill was legal. Did you not?

REPRESENTATIVE TANNER MAGEE: I said based off of what I have heard in my testimony. I did not say it in my capacity as a legal expert. I'm telling you I believe it to be legal after everything I've heard. I am not an expert and I cannot provide you the expert opinion you would like.

REPRESENTATIVE ROYCE DUPLESSIS: What did you hear that makes you think it's legal?

REPRESENTATIVE TANNER MAGEE: I was in the same committee meetings you're in. Everything I've heard, the totality of it all makes you believe it's legal.

REPRESENTATIVE ROYCE DUPLESSIS: Okay. Because I was in the same committee meeting, and everything that I heard makes me think the bill is not legal, did you know?

REPRESENTATIVE TANNER MAGEE: Sure.

REPRESENTATIVE ROYCE DUPLESSIS: Okay. I went across state, you and I both, and I heard -- did you not also hear from the community in every corner of this state that they wanted to see a map that had two opportunities in this state

1 somewhere to be able to select a black candidate?
2 Did you hear that?
3 REPRESENTATIVE TANNER MAGEE: I definitely
4 heard that at different places, yes. Amongst
5 other things, too. I mean, that wasn't the only
6 thing I heard.
7 REPRESENTATIVE ROYCE DUPLESSIS: You heard
8 that this was legal and you follow that in this
9 bill, but you also heard overwhelmingly that
10 people wanted to see a second black congressional
11 district, but this bill does not honor that. Did
12 I state anything incorrectly?
13 REPRESENTATIVE TANNER MAGEE: I can tell you
14 my approach, actually like the speaker's approach
15 on this bill was to honor the traditional
16 boundaries as best as possible to create this map
17 that we believe is legal.
18 REPRESENTATIVE ROYCE DUPLESSIS: So,
19 honoring the traditional principles that
20 traditional boundaries, is that the only criteria
21 that you consider?
22 REPRESENTATIVE TANNER MAGEE: No. We've
23 looked at a whole host of criteria, and that was
24 the approach we took.
25

REPRESENTATIVE ROYCE DUPLESSIS: What other criteria did you consider?

REPRESENTATIVE TANNER MAGEE: We looked at everything.

REPRESENTATIVE ROYCE DUPLESSIS: What is everything?

REPRESENTATIVE TANNER MAGEE: We looked at everything we heard, everything and we drafted a bill that we think meets the criteria of the Federal law and maintains --

REPRESENTATIVE ROYCE DUPLESSIS: What is the criteria of the Federal law?

REPRESENTATIVE TANNER MAGEE: I'm not going to get into a semantic legal debate and talk about Section 24253 says this blah, blah, blah, blah. That is not necessary.

REPRESENTATIVE ROYCE DUPLESSIS: I've never asked you to do that.

REPRESENTATIVE TANNER MAGEE: What I'm telling you is I am not a Federal --

REPRESENTATIVE ROYCE DUPLESSIS: But you said it was legal.

REPRESENTATIVE TANNER MAGEE: I said it's based on my belief, just like when you file a

bill on any kind, if you believe it to be legal, you believe it to be legal. It is what it is.

REPRESENTATIVE ROYCE DUPLESSIS: Okay. Do you believe there is a difference between being legal and being fair?

REPRESENTATIVE TANNER MAGEE: Sure.

REPRESENTATIVE ROYCE DUPLESSIS: Do you believe this map is fair?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE ROYCE DUPLESSIS: Why?

REPRESENTATIVE TANNER MAGEE: I believe it represents the people of Louisiana. The people in Monroe have a certain community of interest. The people of Shreveport have a certain community of interest. The people of Lafayette have a certain community of interest. The people in Terrebonne have a certain community of interest. The North Shore has its own flavor. All of that is maintained in this map.

REPRESENTATIVE ROYCE DUPLESSIS: Okay. I'm glad you brought it to the people, and you believe it's fair because it represents the people of Louisiana. Do you disagree with the fact that 33% of this state is made up of African-Americans?

REPRESENTATIVE TANNER MAGEE: No, I do not.

REPRESENTATIVE ROYCE DUPLESSIS: Okay. So, how do you say that it is fair when you have a map when one out of six is only represented in your map? How was that fair? How does that represent the people of Louisiana?

REPRESENTATIVE TANNER MAGEE: I believe it represents the traditional communities of interest for the State of Louisiana.

REPRESENTATIVE ROYCE DUPLESSIS: You said that a few times, but I don't know that that answers the question. And look, I don't really want to do this. I'm only asking questions, Representative Magee, based upon what you have said. In your opening comments, you said it was legal. And I want to know why you believe it's legal.

[00:15:02]

REPRESENTATIVE TANNER MAGEE: I told you considering the totality of everything that I've learned to this point, I believe it to be legal. I'm not going to get a debate over the finer points of Federal Election Law in this format because I don't think it's appropriate.

REPRESENTATIVE ROYCE DUPLESSIS: Did you know that several maps were submitted?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE ROYCE DUPLESSIS: You did? Did you have a chance to look at the other maps that were submitted?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE ROYCE DUPLESSIS: What makes this map better than the other maps?

REPRESENTATIVE TANNER MAGEE: I'm not saying any map is better or worse. What I'm saying is this is the map that and the approach that the Speaker took.

REPRESENTATIVE ROYCE DUPLESSIS: But you're presenting the bill?

REPRESENTATIVE TANNER MAGEE: And I'm a co-author. So, I'm saying that this is the approach we took. There are other maps.

REPRESENTATIVE ROYCE DUPLESSIS: Why didn't you choose the other maps?

REPRESENTATIVE TANNER MAGEE: Because I don't have to choose a single map.

REPRESENTATIVE ROYCE DUPLESSIS: I know. But why didn't you choose those?

REPRESENTATIVE TANNER MAGEE: I co-authored the bill and took the best approach I thought. I'm not saying it's a better approach. I'm not judgmental about it. So, you have lots of great approaches and you could have a lot of perspectives, Representative. You can look at things from a hundred different angles. It doesn't mean the angle you're looking from is right or wrong, it just means I looked at it from this angle.

REPRESENTATIVE ROYCE DUPLESSIS: What angle is that?

REPRESENTATIVE TANNER MAGEE: Maintaining the geographical boundaries, the traditional communities of interests of the State of Louisiana, and the prior maps.

REPRESENTATIVE ROYCE DUPLESSIS: Thank you.

REPRESENTATIVE TANNER MAGEE: You're welcome.

SPEAKER CLAY SCHEXNAYDER: All right. Next question. Representative Miguez.

REPRESENTATIVE BLAKE MIGUEZ: Thank you, Mr. Speaker. Mr. Speaker Pro Tem, I was looking at the map and I was zoning in on Congressional District 3, the congressional district that's

1 represented by Representative Congressman Higgins
2 live in that congressional district just to let
3 you know. And, previously, St. Martin and St.
4 Mary Parish were made whole. In the debate just
5 now, you were talking about communities of
6 interests and continuity. And I want to know why
7 did you decide, or whoever the Speaker or
8 yourself decided to chop up St. Mary Parish and
9 St. Martin Parish in the third congressional?
10 REPRESENTATIVE TANNER MAGEE: There was no
11 decision to chop up or anything like that. The
12 population have shifted and we had to move the
13 lines in a manner that re-captured the population
14 to a deviation from the standard deviation.
15 REPRESENTATIVE BLAKE MIGUEZ: Yeah. Keep it
16 and the deviation numbers a lot tighter on
17 Congress than they are in the House and the
18 Senate, right?
19 REPRESENTATIVE TANNER MAGEE: Sure. Yes.
20 REPRESENTATIVE BLAKE MIGUEZ: Yes. So, my
21 question is why did you decide to chop up St.
22 Mary and take out Lower St. Martin versus the
23 other part of the district?
24 REPRESENTATIVE TANNER MAGEE: This was the
25 approach we took to make the numbers work.

REPRESENTATIVE BLAKE MIGUEZ: You know, back in, what was it, 1868, are you familiar when Iberia Parish was formed?

REPRESENTATIVE TANNER MAGEE: No.

REPRESENTATIVE BLAKE MIGUEZ: So, there was a legislative act in 1868 that created Iberia Parish. And that's when you saw we have Upper St. Martin Parish and Lower St. Martin Parish. The folks in St. Martin still kind of been out of shape over a survey in the area that happened at that time, but they still believed that Lower St. Martin is theirs. And in this map, Lower St. Martin Parish would be in a different congressional district than Upper St. Martin Parish. So, all those folks, we'd have to go tell them that Congressman Higgins would no longer be their congressman in the future. Have you heard anything in committee where they were, anybody testify to that effect?

REPRESENTATIVE TANNER MAGEE: Look, everything is not going to be perfect. Like I told you in the beginning, we lost an entire congress in Terrebonne. A traditional Lafourche got divided between two congressmen last time. It's not fair to anybody who lose representation.

1 That's part of the process. But the lines have to
2 move. That's the reality.
3 REPRESENTATIVE BLAKE MIGUEZ: Yeah. And they
4 moving in my side of the congressional district.
5 Local to where I grew up in the area. I know the
6 folks down here. I'm sure they [INDISCERNIBLE
7 00:18:29]. Tell me exactly about the lines in St.
8 Mary Parish. It's hard to tell because you can't
9 zoom in exactly, but it looks around there's some
10 division around Morgan City, Louisiana?
11 REPRESENTATIVE TANNER MAGEE: Sure.
12 REPRESENTATIVE BLAKE MIGUEZ: Is that true?
13 REPRESENTATIVE TANNER MAGEE: If you're
14 looking at it, I trust your judgment on it.
15 REPRESENTATIVE BLAKE MIGUEZ: I've been told
16 that the mayor of Morgan City is no longer in the
17 same congressional district as he was before. Is
18 that true?
19 REPRESENTATIVE TANNER MAGEE: We probably
20 have a hundred mayors in the state. I'm not
21 worried about where the one particular mayor
22 lives.
23 REPRESENTATIVE BLAKE MIGUEZ: So, you're not
24 worried about what the mayor of a particular
25 municipality [INDISCERNIBLE 00:18:58].

REPRESENTATIVE TANNER MAGEE: We can't make a hundred -- it's enough to make 53 members of this chamber happy. It is impossible for us to make 200 mayors in the state happy.

REPRESENTATIVE BLAKE MIGUEZ: Yeah. I understand that. So, you didn't visit with them, then have a discussion with the mayor of Morgan City?

REPRESENTATIVE TANNER MAGEE: Of course not. That would be ridiculous.

REPRESENTATIVE BLAKE MIGUEZ: And no one spoke on their behalf in the process?

REPRESENTATIVE TANNER MAGEE: I think you're speaking for their behalf.

REPRESENTATIVE BLAKE MIGUEZ: Yeah, I'm a representative of that area. I just know them very well. And so, I'm trying to understand why those areas were cut out of the district.

REPRESENTATIVE TANNER MAGEE: No. I'm happy you're talking for your friend.

REPRESENTATIVE BLAKE MIGUEZ: Do you know any --

[BACKGROUND CONVERSATION]

Hello. Okay. I'm back on.

REPRESENTATIVE TANNER MAGEE: All right. There we go.

REPRESENTATIVE BLAKE MIGUEZ: Did you all bring any amendments on this bill yet?

REPRESENTATIVE TANNER MAGEE: Yeah, seven amendments.

REPRESENTATIVE BLAKE MIGUEZ: All right. Do you have any amendments that are [INDISCERNIBLE 00:19:47]and they fix this issue that I'm talking about?

REPRESENTATIVE TANNER MAGEE: Yeah, I think it does, actually. To the best of my knowledge. But I can't tell you it makes your mayor happy or your friend happy.

REPRESENTATIVE BLAKE MIGUEZ: No. I'm just trying to make sure the people of St. Mary and St. Martin Parish maintain a voice in the third congressional district.

[00:20:00]

So, I'm going to just going to hold off and see what happens with your amendments and see where we go from there. I appreciate it.

REPRESENTATIVE TANNER MAGEE: Sure, thank you.

SPEAKER CLAY SCHEXNAYDER: All right. Question on the bill, Representative Marcelle?

REPRESENTATIVE DENISE MARCELLE: Representative Magee, how you doing?

REPRESENTATIVE TANNER MAGEE: Good. Good afternoon.

REPRESENTATIVE DENISE MARCELLE: Good. One of the most important goals in your map is compactness, right?

REPRESENTATIVE TANNER MAGEE: I'm sorry. I couldn't hear you.

REPRESENTATIVE DENISE MARCELLE: Is compactness one of the goals in your map?

REPRESENTATIVE TANNER MAGEE: My map was to remain traditional boundaries, communities of interests, geography, and make sure it accounted for the population deviation, and that it comported with Federal law.

REPRESENTATIVE DENISE MARCELLE: Did you attempt to draw a map that is as compact as yours, but has two majority and minority congressional districts?

REPRESENTATIVE TANNER MAGEE: I did not attempt.

REPRESENTATIVE DENISE MARCELLE: Did you ever attempt to draw two --

REPRESENTATIVE TANNER MAGEE: Let me be very clear. We looked at and tried a whole bunch of options. I don't know what exactly what it encapsulates attempt means, but to the extent that we tried to move lines around the state in various conformance and fashion, at some point, I'm just trying to answer your question. I cannot say that it rose to the level of attempt, but what I can tell you is we considered all options. We tried our best to make as many people as happy as we possibly could, and I'm not sure that that answers your question, but that's the best I can do.

REPRESENTATIVE DENISE MARCELLE: Okay. You said, I'm going to ask it again, did you look at drawing another map with two congressional districts that were for minorities? And if so, can I see that map? Did you do one and then you saw that it didn't work? How did you know that it wasn't going to work?

REPRESENTATIVE TANNER MAGEE: No. There was never --

REPRESENTATIVE DENISE MARCELLE: There was never an attempt?

REPRESENTATIVE TANNER MAGEE: Well, hold on, Representative. I think we all understand that technology is different now. We don't literally physically draw maps and then make decisions off of it. We have software. You can move lines around. You can shift things. I don't know in the drafting of this map if anything ever can rose to the level of a second majority or minority district, because these things are much more fluid than an actual draft. But I will tell you there has been no draft maps that answers your question to provide to you for me.

REPRESENTATIVE DENISE MARCELLE: It really doesn't. I know you've seen other maps because you just testified to that just now, right?

REPRESENTATIVE TANNER MAGEE: Sure.

REPRESENTATIVE DENISE MARCELLE: You've seen other maps that had two congressional seats for minorities. Is that correct?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE DENISE MARCELLE: And when you saw those maps, given that they were drawn by different people, and you've already alluded to

1 that, did you see any maps with two congressional
2 districts that you could support? Any one?
3 REPRESENTATIVE TANNER MAGEE: You know, I
4 looked at them. I had some concerns. Unlike
5 everybody in this thing, we're also -- people we
6 represent, a lot of them took an approach of
7 splitting Lafourche Parish or splitting
8 Terrebonne Parish, are doing some on that effect,
9 and I can't say everyone did that because they
10 probably didn't. The two I saw today that come to
11 mind though, that I can think of and committee
12 did that, which I would not, as a member of
13 Terrebonne, I would not support.
14 REPRESENTATIVE DENISE MARCELLE: Okay. Now,
15 there were maps that did not split precincts and
16 there were those that did. I know I'm not on the
17 committee, and I've seen at least six maps that
18 did different things that had two congressional
19 seats for minorities. Some of them split the
20 precincts. Let me finish. And some of them
21 didn't. It is your testimony that you didn't like
22 any of those maps as opposed to this map. Is that
23 what you're saying?
24 REPRESENTATIVE TANNER MAGEE: I would never
25 use a word like "didn't like" or some --

REPRESENTATIVE DENISE MARCELLE: Didn't support.

REPRESENTATIVE TANNER MAGEE: I did not vote for any map. The only map I supported so far has been the Speaker's map. But I would say you did an excellent job presenting your map today.

REPRESENTATIVE DENISE MARCELLE: I did?

REPRESENTATIVE TANNER MAGEE: You did.

REPRESENTATIVE DENISE MARCELLE: Well, can you tell me why didn't you support the map that I presented today?

REPRESENTATIVE TANNER MAGEE: I don't remember the details of it anymore in my head, but I remember thinking she's doing a good job.

REPRESENTATIVE DENISE MARCELLE: You don't remember the details? But it was more compact than this map.

REPRESENTATIVE TANNER MAGEE: I can't say that.

REPRESENTATIVE DENISE MARCELLE: Which you said you don't --

REPRESENTATIVE TANNER MAGEE: I'm not in position to say that.

REPRESENTATIVE DENISE MARCELLE: What you needed was additional time to consider my map, then, correct?

REPRESENTATIVE TANNER MAGEE: If you would have wanted to wait to give us more time to look at it, I would have given you that.

REPRESENTATIVE DENISE MARCELLE: So, you're going to let me bring it back?

REPRESENTATIVE TANNER MAGEE: I will talk to you about it.

REPRESENTATIVE DENISE MARCELLE: You'd talk to me about it?

REPRESENTATIVE TANNER MAGEE: Yeah.

REPRESENTATIVE DENISE MARCELLE: Okay. Keep the population deviation lower than this map. Did you know?

REPRESENTATIVE TANNER MAGEE: If you say so.

REPRESENTATIVE DENISE MARCELLE: If I say so? Would you agree that there was a map by Senator Fields in SB 5? Did you look at that map that was on the floor of the Senate?

REPRESENTATIVE TANNER MAGEE: Representative, and I mean it's across the board. I love our senators. I look forward to seeing any

bills or instruments a senator brings over here. But I only worry about the house maps.

[00:25:00]

REPRESENTATIVE DENISE MARCELLE: Okay. You only worry, you didn't look at those at all?

REPRESENTATIVE TANNER MAGEE: No.

REPRESENTATIVE DENISE MARCELLE: So, you didn't talk to any congressman either, right?

REPRESENTATIVE TANNER MAGEE: I have not spoken to any congressman about the map.

REPRESENTATIVE DENISE MARCELLE: And you said that there were a lot of different perspectives, right?

REPRESENTATIVE TANNER MAGEE: Sure.

REPRESENTATIVE DENISE MARCELLE: And I agree because this is Louisiana and there's a lot of us, 105 of us, and you hear a lot of different perspective but we did have road shows throughout the state, is that correct?

REPRESENTATIVE TANNER MAGEE: Yes, Ma'am.

REPRESENTATIVE DENISE MARCELLE: And a lot of those perspectives that you alluded to earlier were voiced at those road show. Would you agree with that?

REPRESENTATIVE TANNER MAGEE: Sure.

REPRESENTATIVE DENISE MARCELLE: And the majority of those throughout the state requested a second congressional district. Would you agree with that?

REPRESENTATIVE TANNER MAGEE: My memory of those road shows and what I heard was there was several people who came at all the road shows and testified that they would like to see a second minority-majority seat, yes.

REPRESENTATIVE DENISE MARCELLE: So, would it be safe to say that you are ignoring what the people at the road shows said?

REPRESENTATIVE TANNER MAGEE: No.

REPRESENTATIVE DENISE MARCELLE: Those testimonies?

REPRESENTATIVE TANNER MAGEE: No, Ma'am.

REPRESENTATIVE DENISE MARCELLE: So, if it's not safe to say that you're ignoring what they said, the citizens of this great state, many of which came and testified, left their homes, stayed there for hours, to tell you what they wanted to see. I guess the road show for me, did you know, was so that people could tell you what they thought that they wanted to see in their areas. Correct?

REPRESENTATIVE TANNER MAGEE: The road shows were an opportunity for the public to come out and make their comments.

REPRESENTATIVE DENISE MARCELLE: About what they wanted to see in their areas. We talked about communities of interests, right? Am I correct?

REPRESENTATIVE TANNER MAGEE: We do talk about it, yes.

REPRESENTATIVE DENISE MARCELLE: You talked about it. You said communities of interests and people, not separating people. And I just heard you a few minutes ago ask Miguez -- he's concerned about a parish and a mayor, is that right?

REPRESENTATIVE TANNER MAGEE: He seems to be concerned about St. Martin Parish, I believe he said, and the mayor of Morgan City.

REPRESENTATIVE DENISE MARCELLE: Okay. So, since he is concerned about St. Martin Parish because that's where he's from, that makes sense, correct?

REPRESENTATIVE TANNER MAGEE: Sure. We are all representative of people.

REPRESENTATIVE DENISE MARCELLE: And are you going to accept his amendments? I understand that there are some amendments that's coming. Are you going to correct the problem that Miguez has in St. Martin?

REPRESENTATIVE TANNER MAGEE: No. The Speaker has a set of amendments that I'm supporting. I don't know if it solves Representative Miguez' issues or not, to be honest with you.

REPRESENTATIVE DENISE MARCELLE: I think you said I think that resolves or solves your issue. I think that's what you said.

REPRESENTATIVE TANNER MAGEE: I said I think it does, but I really don't know [INDISCERNIBLE 00:27:27].

REPRESENTATIVE DENISE MARCELLE: You think it does? So, can you tell me what resolves my issue where Baton Rouge doesn't have representation in second congressional seat? Can you help me? When I file my amendment, which I have, will you support my amendment? Because I have an issue too in Baton Rouge. The people of Baton Rouge have an issue. We don't feel like we have fair representation. So, if you're going to

1 help my friend over here, Miguez, whom I love,
2 with St. Martin Parish, will you help me with
3 East Baton Rouge Parish since this is where we
4 are now and this is the --
5 REPRESENTATIVE TANNER MAGEE: I am not
6 attempting to resolve an issue for a particular
7 member.
8 REPRESENTATIVE DENISE MARCELLE: You're not?
9 REPRESENTATIVE TANNER MAGEE: No.
10 [INDISCERNIBLE 00:28:10] specifically clear. I'm
11 not doing it for Representative Miguez. So, I'm
12 not affording him any greater weight than I would
13 afford you.
14 REPRESENTATIVE DENISE MARCELLE: Well, that
15 means that you all are not going to accept any
16 amendments on this bill?
17 REPRESENTATIVE TANNER MAGEE: You're asking
18 me to speculate on potential amendments that I
19 don't know exist. I cannot answer that for you.
20 REPRESENTATIVE DENISE MARCELLE: Okay. I
21 filed an amendment on this bill. Have you had an
22 opportunity to read it?
23 REPRESENTATIVE TANNER MAGEE: Yes. I'm not
24 supporting your amendment on this bill, if that's
25

your question. But I can't tell I'm supporting any amendment.

REPRESENTATIVE DENISE MARCELLE: Can you tell me why not?

REPRESENTATIVE TANNER MAGEE: Because it changes drastically the make-up of this map.

REPRESENTATIVE DENISE MARCELLE: No, it fixes my problem.

REPRESENTATIVE TANNER MAGEE: Sure. I understand that.

REPRESENTATIVE DENISE MARCELLE: In East Baton Rouge Parish.

REPRESENTATIVE TANNER MAGEE: I understand that.

REPRESENTATIVE DENISE MARCELLE: Correct?

REPRESENTATIVE TANNER MAGEE: I don't know if it does. I mean, I'm taking you for your word.

REPRESENTATIVE DENISE MARCELLE: Okay. I'm just trying to figure out what metrics did you use to say that this map is better than any other map that has the two congressional seats.

REPRESENTATIVE TANNER MAGEE: I've been very clear that I've not said any map is better than one person's map. What I've said is consistently, that this map is our approach. If more members of

this body like this map than another map, then it passes on to the next chamber. That's how democracy works. It's not about better or worse. I'm not putting qualifiers on anything. I'm not saying anything is better or worse or anything. I'm saying this is a map. This is what it does. I hope you can support it. If you cannot, that's okay too.

REPRESENTATIVE DENISE MARCELLE: I understand. And you know what, we agree upon something, that people in this house should be able to look at these maps and see what they can support or not support. So, we agree upon that. Correct?

REPRESENTATIVE TANNER MAGEE: I believe in the legislative process, which bills come through committee and they come to the floor for greater debate and vote.

[00:29:54]

REPRESENTATIVE DENISE MARCELLE: But if the committee does not allow another viewpoint out besides one map, then this body, 105 members, Miguez may or anybody else who has an issue with it doesn't have an opportunity other than an amendment, right?

REPRESENTATIVE TANNER MAGEE: The process for you weighing in on this map is through amendment.

REPRESENTATIVE DENISE MARCELLE: And that is the only alternative that you're going to give us as a committee because you did not allow any other maps out of your committee, is that correct?

REPRESENTATIVE TANNER MAGEE: Well, the committee is still meeting and still considering the maps. There's one we're going to hear tomorrow or Monday or Friday still. So, that's to be determined so I can't speculate on what the members on that committee are going to do but I can answer your question today. This is the only map that is made out of committee and to the floor. That's correct.

REPRESENTATIVE DENISE MARCELLE: And how many maps have you looked at today?

REPRESENTATIVE TANNER MAGEE: We had six today maybe, I can't remember exactly.

REPRESENTATIVE DENISE MARCELLE: Six.

REPRESENTATIVE TANNER MAGEE: Yes several, I'm--

REPRESENTATIVE DENISE MARCELLE: Six maps.

REPRESENTATIVE TANNER MAGEE: I can tell you.

REPRESENTATIVE DENISE MARCELLE: Of six maps we did not allow any of them to come to this floor for this entire body to make a decision on. So, the members on that committee, right, made a decision that none of those maps were important enough for us to vote on for the people of this state. Is that your testimony?

REPRESENTATIVE TANNER MAGEE: I'm not going to speculate into the reasons why people vote.

REPRESENTATIVE DENISE MARCELLE: Those are not speculations.

REPRESENTATIVE TANNER MAGEE: I'm not going to speculate into the reasons why members of the committee voted the way they did. I can tell you they've only voted out one bill to this point.

REPRESENTATIVE DENISE MARCELLE: Thank you Representative Magee.

REPRESENTATIVE TANNER MAGEE: You're welcome.

SPEAKER CLAY SCHEXNAYDER: Question on the bill, Representative Wilford Carter.

REPRESENTATIVE WILFORD CARTER, SR.: Thank you Mr. Speaker. Mr. Speaker Pro Tem, first of

all, this is not your bill, this is speaker's bill.

REPRESENTATIVE TANNER MAGEE: That's correct. I'm the co-author.

REPRESENTATIVE WILFORD CARTER, SR: And in committee, the speaker made it clear this was his attempt to do the congressional district. It's his attempt.

REPRESENTATIVE TANNER MAGEE: Right.

REPRESENTATIVE WILFORD CARTER, SR.: And he said he was not the only one but it was his attempt. But what I'm interested in is he's trying to establish for the record what went into prepare this bill and I think you can help me with that because you're a part of leadership. One other thing you recall sometime last session we passed a bill, setting forth the criteria you're going to use to draw these maps. We had a bill, it's the state law and that bill includes among other things community of interest. It includes trying to keep precincts together, okay? [INDISCERNIBLE 00:32:30] precinct basically and it also included Section 2 of the Voters Rights Act. It clearly stated in the law. So, what I'm asking you is, and if you can help us, tell me

1 what effort was made in this bill to comply with
2 Section 2 of the Voters Rights Act since we
3 passed a law saying we will want to do that?
4 REPRESENTATIVE TANNER MAGEE: As I stated
5 several times, I believe this map to be legal. It
6 considered all the factors you just discussed and
7 this is the approach we took that we thought
8 satisfied those criteria.
9 REPRESENTATIVE WILFORD CARTER, SR.: Okay.
10 So, just to be clear, Section 2 provides that if
11 you have a group that has sufficient number,
12 sufficient compactness in order to create a
13 district and the only reason why they could not
14 create a district is because the majority of the
15 group either black voted them or they used
16 compactness, compacted the protected group so
17 much compacted until they cannot create another
18 district. So, did you all look at compactness of
19 the only minority- majority district in the state
20 congressional district which is two I think it is
21 and so it goes from New Orleans to Baton Rouge
22 and beyond. So, you all took that compactness
23 issue problem into consideration.
24
25

1 REPRESENTATIVE TANNER MAGEE: We looked at
2 all the factors of everything that we could look
3 at and this is the approach we took.
4 REPRESENTATIVE WILFORD CARTER, SR.: Okay.
5 In order for our map given our criteria of our
6 own law to be passed and the Section 2 of the
7 Voters Rights Act which we accepted that we will
8 use in order for it to be legal as you say, it
9 has to have shown effort of trying to create
10 another minority district because the population
11 such in the state that the protected group blacks
12 represented a third of the state and for that
13 reason to be legal, we have to make an effort to
14 try to create another district. So, what the
15 people were saying is what the law says that that
16 should be an effort made. Do you not agree with
17 that fact? And to create another district.
18 REPRESENTATIVE TANNER MAGEE: We accounted
19 for all of the Voting Rights Act Section 2 and
20 this is the approach we took.
21 REPRESENTATIVE WILFORD CARTER: But did you
22 try to create another district? Another--
23 REPRESENTATIVE TANNER MAGEE: We looked at
24 all available options and this is the approach we
25 took.

[00:35:00]

REPRESENTATIVE WILFORD CARTER, SR.: Okay. Are you aware that we had in committee some five bills? We heard from five bills, four, five bills in committee they created another district today?

REPRESENTATIVE TANNER MAGEE: Yes. That's what's me and Representative Marcelle just talked about.

REPRESENTATIVE WILFORD CARTER, SR.: You choose one other bill and there were others. And tomorrow, we still have on the docket for tomorrow at least one bill that's going to create another second congressional district of minority district and we haven't heard that bill yet. So, while we're moving this bill when we hadn't heard all the bills that we need to hear, granted that none of the other five bills got out of committee, there's still one left that creates another district that is compact that maybe we already hear before we pass on this. Do you don't think we need to hold up on this until we at least hear all the other bills out?

REPRESENTATIVE TANNER MAGEE: It's not uncommon in this body since I've been here. In fact, it's actually common for us to pass the

bills in the order that they move through the process at any point and if we just waited for other bills, you could just keep filing bills for infinity and to keep us from moving forward. We can pass more than one bill to the senate, we can do a whole host of options. The progress of this bill does not impede upon the progress of any other bill.

REPRESENTATIVE WILFORD CARTER, SR.: Okay, so--

REPRESENTATIVE TANNER MAGEE: Nor has it historically been that way in this body.

REPRESENTATIVE WILFORD CARTER, SR.: Are you aware when not the speaker or the leadership discussed it's bill that has House Bill 1 with groups outside the legislature?

REPRESENTATIVE TANNER MAGEE: I can only speak to what I participated in. I did not talk to a single person besides Representative Stefanski, members of this body, Trish Lowrey and other house staff about this bill.

REPRESENTATIVE WILFORD CARTER, SR.: All right.

REPRESENTATIVE TANNER MAGEE: No outside groups for me. It's all I can say.

REPRESENTATIVE WILFORD CARTER, SR.: Now I read the paper like everybody else and I'm not part of the leadership so I don't have privileges but does the house spend money to get lawyers to give advice upon reapportionment? Has the house done it?

REPRESENTATIVE TANNER MAGEE: The only thing I know about that would be repeating to you what Ms. Julia Donahue has reported in the press.

REPRESENTATIVE WILFORD CARTER, SR.: Yeah, well I'm going about what I heard in the press too.

REPRESENTATIVE TANNER MAGEE: That's all I can tell you is well.

REPRESENTATIVE WILFORD CARTER, SR.: It's my understanding that the House spent money to get counsel give advice upon the reapportionment.

REPRESENTATIVE TANNER MAGEE: It's my understanding that this body has done that historically prior to redistricting and this is a common practice of this body. I did not personally witness, discuss or have any interaction with anybody other than people I've already told you about and I've only learned

about the law firm through the reporting of Ms. Julia Donahue.

REPRESENTATIVE WILFORD CARTER, SR.: And I'm not trying to say it's a bad thing. No, I'm not trying to say it's a bad thing, okay? Because I remember in 1990 when I was part of the majority, we had consultation too. Okay? So, I'm not going to say that's a bad thing. I'm just asking are you aware whether or not it was done and you say usually it is done, right?

REPRESENTATIVE TANNER MAGEE: It's my understanding from talking to house staff, talking to members, talking to people like yourself, that this is the common practice that is done for redistricting. I do not have any other knowledge other than what has been reported in the press and I learned all that information through the press as well.

REPRESENTATIVE WILFORD CARTER, SR.: Now you are aware that one of the primary protectors or plaintiff lawyers in reapportionment in this state as a mini state is NAACP Legal Defense Fund. You heard it, the NAACP Legal Defense Fund?

REPRESENTATIVE TANNER MAGEE: Sure.

REPRESENTATIVE WILFORD CARTER, SR.: And you heard of ACLU and you heard of the power coalition organization group that organize people to go vote. So, I'm asking since appears that we did get legal advice from some law firm, did you reach out to these other firms that might -- since we got more than just conservative law 00 members of the house we got a variety of people in the state, in this house. Did you seek to get advice from a firm like NAACP Legal Defense Fund who prepared a well-written document they gave it to the house, House and Governmental Affairs Committee about 39 pages breaking down the legality of what we had to do to conform with legality. Did you see that information they provided to us?

REPRESENTATIVE TANNER MAGEE: I believe so, yes.

REPRESENTATIVE WILFORD CARTER, SR.: Okay. And in fact, it is the only -- the bills that was involved more than one black minority district are the only bills that was supported and written. It was researched by the NAACP Legal Defense Fund and explaining why they were legal. They're explaining why it was legal and why we

should do this. And you read that detail report that they provided to us.

REPRESENTATIVE TANNER MAGEE: I believe so.

REPRESENTATIVE WILFORD CARTER, SR.: They broke the law. They explained Section 2 what it means and why we have all that kind of stuff. But you didn't get their advice in any other way. You didn't seek their assistance in writing this House Bill 1.

REPRESENTATIVE TANNER MAGEE: No.

[00:40:00]

REPRESENTATIVE WILFORD CARTER, SR.: Okay. So, if you got a third of population is black in the state. The third of population is black. The white population lost numbers in the state in the past 10 years. Do you agree with that?

REPRESENTATIVE TANNER MAGEE: That is my understanding of the evidence and testimonies provided to us.

REPRESENTATIVE WILFORD CARTER, SR.: So, they had six congressional members before they lost this almost 6%, 5% of the vote and the black population gained several percentage point at least -- to give it at least a third. Now I know if you do a simple math on that, you'll come up

with 199 or 198 almost right at 2%, two congressmen out of six. So, but if you do 57% of six, you come out with 3.4. So, what I'm saying is based on the numbers, just following the numbers, it's simple math, you at least try or be able to create a district that is two out of six black is what I'm saying. And I don't know you're telling me anything it should be it and try to that. I mean, I think the record ought to be clear that in all honesty, there was not an effort through this bill to accomplish that. Now you look at other bills but this bill did not try to accomplish that to create another district.

REPRESENTATIVE TANNER MAGEE: Is that a question?

REPRESENTATIVE WILFORD CARTER: Yeah. The efforts in this bill did not try to create another black district and if it did try to create another -- if I'm wrong, you can tell me I'm wrong and tell me why that was not possible.

REPRESENTATIVE TANNER MAGEE: Despite the redirect, the overwhelming testimony by everybody who's brought a bill for anything before house and governmental, both Republican and Democrat has been that it's a complicated process and a

1 difficult thing to do and that is not simple
2 math. So, what I can tell you is, we considered
3 all the options, this approach accounts for the
4 communities of interest, population deviation and
5 geography in compliance with federal law.
6 REPRESENTATIVE WILFORD CARTER, SR.: There
7 you go again. I said it was simple math to take
8 33% of six and take 57% of six, that's simple
9 math. But it's not simple math to draw these
10 districts. They are complicated because it's made
11 of multiple parishes and multiple precincts. I
12 never suggested it was simple, but it's possible.
13 The law doesn't require that we actually create a
14 second district, though we are required that we
15 make an effort to give an opportunity for people
16 of color to have a person to vote for, a person
17 of their choice. It's all it does. It doesn't
18 guarantee anything. It doesn't guarantee two
19 blacks to go elected to congress, okay? I'm not
20 trying to get you to go there. All I'm trying to
21 get you to tell me what did you do or what did
22 the speaker do when writing this bill up many of
23 days or weeks you spent or your consultation with
24 these other lawyers and it come up with talking
25 to these lawyers. What did you do to try to

1 create another district? What effort you made,
2 not me, not somebody else, not one of these other
3 bills, what effort did House Bill 1 made to
4 create a second district and if they couldn't do
5 it, why they couldn't do it?
6 REPRESENTATIVE TANNER MAGEE: Again, we
7 looked at all options, we reviewed them and we
8 decided with this approach with accounting for
9 the communities of interest, population
10 deviation, geography and we believe the
11 compliance of federal law.
12 REPRESENTATIVE WILFORD CARTER, SR.: Okay.
13 So, do you know that if you did not make an
14 effort in order to create a second black district
15 in this bill, this bill is illegal by our
16 statute, not just by Section 2 of the Voters
17 Right Act but by our statute, Our statute say it,
18 we won't try to comply with Section 2 of the
19 Voters Right Act and we didn't do that in this
20 bill. There's no effort to do that. You have not
21 demonstrated an effort to do that. So, by a
22 matter of this what I want to state, this bill is
23 totally illegal. So when you say it's legal, I
24 don't know how you can say that. How you can it's
25

1 legal when it's obvious you didn't do what we say
2 we we're going to do. That's all I have, sir.
3 REPRESENTATIVE TANNER MAGEE: Thank you.
4 SPEAKER CLAY SCHEXNAYDER: Representative
5 Landry for your question.
6 REPRESENTATIVE MANDIE LANDRY: Just to be
7 clear, you said you haven't had any contact with
8 any lawyers from Baker & Hostetler?
9 REPRESENTATIVE TANNER MAGEE: I did not know
10 the name Baker & Hostetler or was aware of the
11 law firm until it's reported in the article by
12 Julie Donahue.
13 REPRESENTATIVE MANDIE LANDRY: Do you know
14 which legislators have had contact with that law
15 firm?
16 REPRESENTATIVE TANNER MAGEE: I actually do
17 not.
18 REPRESENTATIVE MANDIE LANDRY: Do you know
19 who the client is of that law firm?
20 REPRESENTATIVE TANNER MAGEE: I couldn't
21 tell you anything other than what's been
22 reported.
23 REPRESENTATIVE MANDIE LANDRY: Do you know
24 how they're going to be paid?
25

REPRESENTATIVE TANNER MAGEE: I have no idea.

REPRESENTATIVE MANDIE LANDRY: Do you know what legal advice that they've given to the legislature?

[00:45:02]

REPRESENTATIVE TANNER MAGEE: I could only speculate because I've not been in part of any meeting, email, phone call, hearsay, rumor and otherwise, other than learning through it by either reporting of Julia Donahue.

REPRESENTATIVE MANDIE LANDRY: Do you know who knows the answer to those questions?

REPRESENTATIVE TANNER MAGEE: I assume that the speaker does.

REPRESENTATIVE MANDIE LANDRY: Have you received a litigation hold from any law firm regarding redistricting?

REPRESENTATIVE TANNER MAGEE: I'm sorry, Representative Landry, I couldn't hear it.

REPRESENTATIVE MANDIE LANDRY: Sorry. You're an attorney, you understand what a litigation hold, is that correct?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE MANDIE LANDRY: A litigation hold is? Have you received one?

REPRESENTATIVE TANNER MAGEE: I've not received anything.

REPRESENTATIVE MANDIE LANDRY: Okay. Do you know if there have been any discussion -- actually, I'm not going to ask that. Thank you.

REPRESENTATIVE TANNER MAGEE: You're welcome.

SPEAKER CLAY SCHEXNAYDER: All right. Representative Horton for your question.

REPRESENTATIVE DODIE HORTON: Thank you, Mr. Speaker. Thank you, Representative Magee for handling this bill. As a member of the committee, I went to all, but I believe three of the meetings and we heard lots of testimony from people. Do you agree that, want to keep the lines as they are? They like their congressional representation and I heard that from people of several races, do you agree?

REPRESENTATIVE TANNER MAGEE: Yes, and I'd even add that the roadshows are just one avenue for us to receive public comment and that we all receive it from other places and that was a

1 common thing I've heard on all parts of state and
2 really everywhere I go and across the board.
3 REPRESENTATIVE DODIE HORTON: Of course, and
4 as we all do when representing everyone in our
5 districts, regardless of race, creed or color,
6 that's what we do. You know, we represent all
7 people and do you agree that we have to fulfill
8 the obligation of the whole law, not just certain
9 sections of it regarding redistricting?
10 REPRESENTATIVE TANNER MAGEE: Yes. We try to
11 comply with all laws. That's should be always
12 your goal.
13 REPRESENTATIVE DODIE HORTON: Correct. I
14 appreciate you. Thank you for your service.
15 REPRESENTATIVE TANNER MAGEE: Thank you,
16 Representative Horton.
17 SPEAKER CLAY SCHEXNAYDER: All right.
18 Question on the bill, Representative Jefferson.
19 REPRESENTATIVE PATRICK JEFFERSON: Thank
20 you, Mr. Speaker. I had an issue. I hit my button
21 then I turned it off and then Representative
22 Horton asked questions so I wanted to come right
23 behind it. She mentioned doing the roadshow and
24 as we said a few minutes ago, all of us can see
25 this is a very monumental task. It's very

1 difficult and we certainly appreciate you and
2 others who've put forth instruments to try to get
3 us where we need to be. But my question to you in
4 line with what she just indicated, during the
5 various roadshows, she indicated that you heard
6 from a lot of constituents who indicated you
7 wanted to keep the traditional lines, would you
8 say that was pervasive or prevalent or sporadic?
9 REPRESENTATIVE TANNER MAGEE: Representative
10 Jefferson, I really don't want to do anybody a
11 disservice by me recalling something improperly
12 or impoorly, or poorly, not impoorly.
13 REPRESENTATIVE PATRICK JEFFERSON: But have
14 you heard from it?
15 REPRESENTATIVE TANNER MAGEE: Yeah. I've
16 heard that comment. I don't want to say that I
17 heard this in any kind of, certain specific place
18 because my memory really isn't that good.
19 REPRESENTATIVE PATRICK JEFFERSON: Right.
20 Not trying to pin which place but was that more
21 prevalent than not or was it you know, just you
22 heard it?
23 REPRESENTATIVE TANNER MAGEE: It was common.
24 I could say -- I don't know if prevalent is the
25

1 right word but I thought, it was a common thing I
2 heard throughout the process.
3 REPRESENTATIVE PATRICK JEFFERSON: And as it
4 relates to traditional lines, I also heard that.
5 REPRESENTATIVE TANNER MAGEE: Correct.
6 REPRESENTATIVE PATRICK JEFFERSON: Was there
7 a balancing approach regarding the traditional
8 lines relative to what the Voting Rights Act
9 indicate?
10 REPRESENTATIVE TANNER MAGEE: We tried our
11 best to take all the factors that I've discussed
12 multiple times here and come up with our best
13 versions of the bill that we believe comports a
14 federal law.
15 REPRESENTATIVE PATRICK JEFFERSON: Okay. And
16 certainly, we appreciate again the work and the
17 effort that you put into it. You said you looked
18 at all options.
19 REPRESENTATIVE TANNER MAGEE: Correct.
20 REPRESENTATIVE PATRICK JEFFERSON: My
21 question, very clear, some of those options, did
22 they include adding a second minority district?
23 REPRESENTATIVE TANNER MAGEE: We considered
24 all options and we made attempt, at least attempt
25

1 but we made efforts to consider all options in
2 composing this map.
3 REPRESENTATIVE PATRICK JEFFERSON: Thank
4 you. Is that a yes or a no?
5 REPRESENTATIVE TANNER MAGEE: We looked at
6 all options.
7 REPRESENTATIVE PATRICK JEFFERSON: Okay. And
8 then lastly, I ended by saying a lot of things
9 that we do today would help those who come after
10 us. In your understanding and as you've looked at
11 it, is there any scenario that you can come up
12 with where it is clear, crystal clear that we
13 would have a second minority-majority district?
14 REPRESENTATIVE TANNER MAGEE: Is there any
15 scenario whatsoever? I think we looked at all the
16 factors and we looked at all the factors, not
17 just one. It's part of our entire process and
18 looking at everything and this is what we came up
19 with.
20 REPRESENTATIVE PATRICK JEFFERSON: Okay, but
21 to get to that point, is there anything else that
22 we need to consider or that needs to occur so
23 that it's crystal clear, unambiguous, without
24 question, very clear that we should have that
25 second minority-majority district.

REPRESENTATIVE TANNER MAGEE: We're still. This is a legislature process. We're still looking at maps.

[00:50:02]

REPRESENTATIVE PATRICK JEFFERSON: So it's fluid?

REPRESENTATIVE TANNER MAGEE: It's fluid.

REPRESENTATIVE PATRICK JEFFERSON: Okay. Thank you so much. Thank you, Mr. Speaker.

REPRESENTATIVE TANNER MAGEE: You're welcome.

SPEAKER CLAY SCHEXNAYDER: For question, Representative Willard.

REPRESENTATIVE MATTHEW WILLARD: Thank you, Mr. Speaker. Mr. Pro Tem, today in committee, there are congressional maps proposed and committee members brought up the issue of performance. Was there any type of performance analysis done on HB1 for the creation of two majority-minority districts?

REPRESENTATIVE TANNER MAGEE: I did not look at any performance data.

REPRESENTATIVE MATTHEW WILLARD: Okay. Well, based on your review of HB1 and other congressional maps, do you think that the

1 creation of two majority-minority districts would
2 allow minority voters to elect a candidate of
3 their choice?
4 REPRESENTATIVE TANNER MAGEE: I really
5 couldn't say.
6 REPRESENTATIVE MATTHEW WILLARD: Why not?
7 REPRESENTATIVE TANNER MAGEE: I'm not sure.
8 I can't speculate on maps that don't exist.
9 REPRESENTATIVE MATTHEW WILLARD: No, I asked
10 about maps that have gone through the processing
11 committee. There were several shot down today.
12 REPRESENTATIVE TANNER MAGEE: I do not
13 remember the performance data being presented to
14 me today in committee.
15 REPRESENTATIVE MATTHEW WILLARD: Okay. If
16 you were setting out to create a majority-
17 minority district, about what target would you
18 shoot for as far as the black voting age
19 population?
20 REPRESENTATIVE TANNER MAGEE: I would not
21 shoot for when it's a complex process. You need
22 to look at a whole host of factors. I do not
23 believe that there is a hard number.
24 REPRESENTATIVE MATTHEW WILLARD: Do you
25 think that 56% would be high enough?

REPRESENTATIVE TANNER MAGEE: It would depend.

REPRESENTATIVE MATTHEW WILLARD: Okay. I bring out 56% for a reason. That's the current BVAP for Congressional District 2 right now. Do you think that minority voters in Congressional District 2 are performing at a level to elect candidates of their choice currently?

REPRESENTATIVE TANNER MAGEE: It would appear that way.

REPRESENTATIVE MATTHEW WILLARD: It would appear. Okay. Well, just for some, I guess, for some clarity, in the last congressional ways where U.S. Congressman Troy Carter was elected, in the non-partisan primary, did you know that the first, second, third and fourth place candidates all secured 90% of the vote and that they all were black?

REPRESENTATIVE TANNER MAGEE: I believe what you tell me.

REPRESENTATIVE MATTHEW WILLARD: And then in the last three presidential elections, Congressional District 2 elected the preferred presidential candidate at above 70%, 20, 16 and 12. Did you know that?

REPRESENTATIVE TANNER MAGEE: I have no reason to ever believe you'd ever tell me anything that was not true.

REPRESENTATIVE MATTHEW WILLARD: Thank you. So let's get back to Congressional District 2. BVAP right now, 56%, district is clearly performing at a high level to elect candidates of their choice. Do you think that bringing that down a few percentage points would cause a problem and maybe prevent them from electing a candidate of their choice based on the numbers that I just gave you?

REPRESENTATIVE TANNER MAGEE: I couldn't say.

REPRESENTATIVE MATTHEW WILLARD: Okay. Back to the performance analysis, has there been any type of performance analysis done on HB1?

REPRESENTATIVE TANNER MAGEE: Not to my knowledge.

REPRESENTATIVE MATTHEW WILLARD: Not to your knowledge?

REPRESENTATIVE TANNER MAGEE: Not to my knowledge.

REPRESENTATIVE MATTHEW WILLARD: Okay. Do you think that there's any evidence in

1 Congressional District 2 to suggest that lowering
2 that percentage, the BVAP percentage would cause
3 an issue in them electing candidates of their
4 choice?
5 REPRESENTATIVE TANNER MAGEE: I really
6 couldn't say.
7 REPRESENTATIVE MATTHEW WILLARD: You're not
8 answering any questions.
9 REPRESENTATIVE TANNER MAGEE: You're asking
10 me to give you opinions that I don't have the
11 information and to speculate on what would
12 happen. I can't do that.
13 REPRESENTATIVE MATTHEW WILLARD: Do you
14 think that it would be more fair and accurate
15 representation based on the 2020 census numbers,
16 if we reduced the BVAP in Congressional District
17 2 and moved it into another district to create
18 two opportunity districts?
19 REPRESENTATIVE TANNER MAGEE: Fairness is a
20 term that, it means different things in different
21 people.
22 REPRESENTATIVE MATTHEW WILLARD: And I'm
23 asking you for your opinion. Do you think that
24 would be fair and an accurate reflection of the
25 State of Louisiana currently?

REPRESENTATIVE TANNER MAGEE: I would have to see that particular map. I can't speculate on maps that are not before me.

REPRESENTATIVE MATTHEW WILLARD: Okay. Another opinion question, I suppose. Do you agree that black voters turn out in elections when they have an opportunity to elect a candidate of their choice?

REPRESENTATIVE TANNER MAGEE: I believe that black voters turn out for elections.

REPRESENTATIVE MATTHEW WILLARD: Do you agree that they turn out in higher numbers if they have a chance to elect a candidate of their choice?

REPRESENTATIVE TANNER MAGEE: I think that depends on scenarios. I don't know that there's a one-size fits all for any answers. It depends on what's on the ballot. There's a whole host of scenarios I can run through for everything and I can't draw a general principle from a multitude of factors.

[00:55:00]

REPRESENTATIVE MATTHEW WILLARD: Do you think that it's possible voters stay home and do not go vote if there's no candidate that they

1 believe will represent their interests in that
2 seat?
3 REPRESENTATIVE TANNER MAGEE: Sure.
4 REPRESENTATIVE MATTHEW WILLARD: Thank you.
5 Thank you.
6 REPRESENTATIVE TANNER MAGEE: You're
7 welcome.
8 SPEAKER CLAY SCHEXNAYDER: All right. Let's
9 take up amendment please.
10 HOUSE CLERK MICHELLE FONTENOT: First set of
11 amendments is a three-page set of amendments by
12 Speaker Schexnayder. The last two digits are 8,0.
13 REPRESENTATIVE TANNER MAGEE: Members, this
14 is some amendments that kind of nibbles at the
15 lines of where these things are in an attempt to
16 try and make the deviations better.
17 SPEAKER CLAY SCHEXNAYDER: All right.
18 Question on the amendment, Representative Miguez.
19 REPRESENTATIVE BLAKE MIGUEZ: Thank you, Mr.
20 Speaker. Mr. Speaker Pro Tem, is this the
21 amendment that fixes my St. Martin-St. Mary
22 issue?
23 REPRESENTATIVE TANNER MAGEE: I'm not the
24 representative of St. Martin so I can't say it
25 fixes your issue. I've made -- as to

1 Representative Marcelle's point, I did not
2 heavily agree with you to help out your issue. I
3 thought a new plate in your area and it's up for
4 you to determine whether it does or not.
5 REPRESENTATIVE BLAKE MIGUEZ: I'm looking at
6 the map and it still has St. Louis-St. Martin out
7 of the third congressional and St. Mary cut up.
8 So that's --
9 REPRESENTATIVE TANNER MAGEE: Representative
10 Marcelle, I did not help Representative Miguez's
11 problem either, so I'll treat you all the same.
12 REPRESENTATIVE BLAKE MIGUEZ: Well, I
13 noticed earlier that you said you didn't talk to
14 that mayor. You sounded like you had a lack of
15 empathy for what those folks are going through in
16 St. Mary Parish.
17 REPRESENTATIVE TANNER MAGEE: No, absolutely
18 not but it's part of the process. It's not a lack
19 of empathy. It's that I cannot worry about what
20 every single elected official in the state
21 believes. What are you going to tell me next, the
22 police chief? I mean, at some level, we can't
23 make --
24 REPRESENTATIVE BLAKE MIGUEZ: He's a very
25 interested individual.

REPRESENTATIVE TANNER MAGEE: I'm sure he is. It's not a reflection of him as a person. It's a reflection on, I cannot, as the author of the bill that affects this entire state, worry about a mayor of one town. It's just not possible.

REPRESENTATIVE BLAKE MIGUEZ: Well, there's a lot of people in St. Martin.

REPRESENTATIVE TANNER MAGEE: And we would do the best we can to give them their -- and I know the area. We do the best we can with the populations we have to draw the lines the best we can.

REPRESENTATIVE BLAKE MIGUEZ: And you don't have any amendments following this to fix that issue at all?

REPRESENTATIVE TANNER MAGEE: If this doesn't solve it, no I do not.

REPRESENTATIVE BLAKE MIGUEZ: Okay. Well, I don't know if I can support this bill today but I'll tell you that, I mean, the map overall is okay but I really have some issues with St. Martin and St. Mary. You obviously don't know who the mayor of Morgan City is.

REPRESENTATIVE TANNER MAGEE: It's Lee Dragna.

REPRESENTATIVE BLAKE MIGUEZ: That's right. You know who he is?

REPRESENTATIVE TANNER MAGEE: I do know who he is. I didn't say I didn't know. I said I can't worry about what he's [INDISCERNIBLE 00:57:29]. I haven't talked to him. I haven't told him -- it's incorrect to say I don't know who he is. There's also a parish president in St. Mary. I can't worry about this stuff.

REPRESENTATIVE BLAKE MIGUEZ: The irony is Lee Dragna has the personal cell phone of the wealthiest individual in the world and they speak on a regular basis on how to take people from Earth and move them into space through rockets to go to Mars.

REPRESENTATIVE TANNER MAGEE: No, what happened is, I could tell you exactly what happened.

REPRESENTATIVE BLAKE MIGUEZ: So, he's smart enough to -- excuse me.

REPRESENTATIVE TANNER MAGEE: Hold on, let me tell you exactly what happened with that.

REPRESENTATIVE BLAKE MIGUEZ: If he's smart enough to figure out how to help individuals put people on Mars, then maybe you can question and you all can figure out how to get St. Martin and St. Mary back into Congressional District No. 3. When you can do that, you can count on my support. Thank you so much.

REPRESENTATIVE TANNER MAGEE: Lots of smart people, it has nothing to do with the intelligence or the qualities of a mayor. Again, this is about a process that affects the whole state. Decisions had to be made. Some mayor is inevitably going to be upset and there's going to be inevitably one who has done well for his life because he created a patented technology that Elon Musk had to buy so he can land his rocket ship on the barge that he sells. I know exactly what he does. I'm just telling you, it's not my concern with what every mayor and police chief, fire chief thinks about a map as big as the State of Louisiana.

SPEAKER CLAY SCHEXNAYDER: Representative Phelps for a question.

REPRESENTATIVE TAMMY PHELPS: Thank you, Mr. Speaker. I don't know if I really understood your

1 explanation of the amendment and maybe I don't
2 have it here to follow. Will you please read that
3 amendment again and explain?
4 REPRESENTATIVE TANNER MAGEE: Yeah. The
5 amendment moves precincts at the edges and in
6 short. I mean, it goes up in Terrebonne. The
7 predominant of it is actually in Terrebonne and
8 Lafourche Parishes between Graves and
9 Representative [INDISCERNIBLE 00:59:01]'s
10 districts that are current now. And it's moving
11 those lines around a little bit to try and get
12 the deviations to more of a smaller number.
13 REPRESENTATIVE TAMMY PHELPS: Thank you for
14 mentioning those areas. That's bringing a little
15 clearer to me.
16 REPRESENTATIVE TANNER MAGEE: Yes.
17 REPRESENTATIVE TAMMY PHELPS: Thank you.
18 SPEAKER CLAY SCHEXNAYDER: All right. Then
19 no more questions on the amendment to the floor.
20 One amendment, Representative Ivey.
21 REPRESENTATIVE BARRY IVEY: Thank you, Mr.
22 Speaker and members. I'm going to be brief. I
23 just want to provide some perspective if I could.
24 This is one of the first heavily debated bills.
25 As mentioned that somebody, you should try to

solve it and this has been an unbelievably complicated process and this is coming from someone who loves the hard technical problems. The reality is, unlike the many other bills where I have a bill that's important to me on trying to solving problem and it is incumbent upon myself to try to address the issues and concerns that the body can present in order for me to get final passage.

[01:00:06]

That's not the case with these bills. They're so -- look, if you've got a problem, then you're the one who should be capable of trying to present a solution for that. I'm available to help anybody on any issue that they have with any map to discuss options and possibilities. And I know this isn't specific on this amendment. This is going forward to the process. Unlike any bills, it's not incumbent on the author of the bill to solve your problem. Now, maybe they won't get your support, but I believe it's incumbent on individuals to make the effort they believe is necessary to at least try to address their concerns and if we all did that, I think it makes the process a lot easier. And if you all want to

hang out in house and governmental, the rest, you know, maybe get up to speed a little bit more but I just want to say that, Mr. Speaker. Thank you.

SPEAKER CLAY SCHEXNAYDER: Thank you, Representative Ivey. All right, there are no more -- Representative Johnson, what do you ask? Mike Johnson.

REPRESENTATIVE MIKE JOHNSON: Mr. Speaker, I'm trying to operate the new iPad and I pushed question for the amendment and if I could ask Speaker Pro Tem just a short question.

SPEAKER CLAY SCHEXNAYDER: Yeah, we haven't closed on it.

REPRESENTATIVE MIKE JOHNSON: Okay, thank you.

REPRESENTATIVE MIKE JOHNSON: You have your button pressed for a question on the bill and not on the amendment.

REPRESENTATIVE MIKE JOHNSON: I don't see a question for the -- okay, sorry. We need an orientation for some of us older folks. I apologize.

SPEAKER CLAY SCHEXNAYDER: Question --

REPRESENTATIVE MIKE JOHNSON: I'm not as smart as these people that are going to Mars from

St. Mary Parish or wherever. Representative Miguez, I'm just trying to ask a simple question.

MALE 1: You're trying to [INDISCERNIBLE 01:01:50]?

REPRESENTATIVE MIKE JOHNSON: I'm just trying to -- for whatever days I got left on this Earth, I want to try to --

REPRESENTATIVE TANNER MAGEE: You shouldn't have made me laugh while I had water in my mouth.

REPRESENTATIVE MIKE JOHNSON: Well, I'm sorry. I'm sorry for that. I want to complement you on the original bill. amendment, not so much. Rapides Parish has approximately 130,000 people. The Senate has given us six senators, that's not necessarily a bad thing, but we're being diminished and now this amendment cuts Rapides Parish in half. I hope you're not doing that to help Representative Miguez, although I love Representative Miguez and his colleagues, but I don't understand why that was necessary and I certainly would hope that we could go back to the original bill. Do you know why that was done?

REPRESENTATIVE TANNER MAGEE: Look, it was due -- all the changes and I think this is something that's important was to try and get the

standard population deviation as small as it possibly could. I think this map has probably one of the best standard population deviations as possible and I think it's really one of the hallmark now. It's a really important factor in redistricting and I think it was done with that guide but there's been no attempts by this map to hurt any mayor, any parish. It's to do what we can do with the numbers that we're given.

REPRESENTATIVE MIKE JOHNSON: I know it's a difficult task. I just thought the first map did a better job of doing that, so thank you.

REPRESENTATIVE TANNER MAGEE: You're welcome.

SPEAKER CLAY SCHEXNAYDER: All right, there are no more questions on the amendment. Any objections to the amendment? All right, seeing none, amendment is adopted. Next amendment.

HOUSE CLERK MICHELLE FONTENOT: Mr. Speaker and members, the next set of amendments is a three-page set of amendments with the last two digits 70. It is presently on your computer as an amendment by Representative Jenkins but understand that it is actual and Representative Marcelle and Duplessis are co-authors. Understand

Representative Marcelle was supposed to be the lead author on that amendment. We will get it redrafted with that name on it but I just want to let you know the substance of it will not change.

SPEAKER CLAY SCHEXNAYDER: All right, Representative Marcelle on new amendment.

REPRESENTATIVE DENISE MARCELLE: Thank you Mr. Speaker and members. I don't know where to start. As I discussed earlier on with Representative Magee, I'm concerned about the bill in its current posture for the representation of the people in Baton Rouge. And so I'm offering this amendment because this bill in its current form will not stand up to scrutiny and it violates Voting Rights Act. According to the 2020 census, Louisiana's population of blacks have increased and our electoral maps must reflect the growth.

[01:05:04]

Minorities represent one-third of the population of the state and we have a voting age population of the 3.570 people in the state. Louisiana had six congressional seats and a third of six is 2 where I'm from. That's Baton Rouge. We conducted a roadshow all over the state of

1 Louisiana and we received overwhelmingly input
2 from citizens who expressed the need for a second
3 majority-minority district. I'm not sure of the
4 people who said otherwise because I've not heard
5 that. In an effort to get into compliance with
6 the Voting Rights Act of 1965, my amendment is in
7 keeping with Section 2 by providing an
8 opportunity for minorities to have
9 representation. This does not guarantee that a
10 minority will be elected. It will only give them
11 the opportunity in which to do so. In listening
12 to the committee testimony on this bill in its
13 current form, it was clear that there was no
14 attempt. It was clear today as I question
15 Representative Magee about this bill that there
16 was no attempt to create a second minority-
17 majority district. And that in itself is a
18 violation. When this process began, the Chairman
19 and the Speaker vowed to have an open dialogue
20 and to present fair maps according to the numbers
21 in the 2020 census. My amendment will reflect
22 those said numbers. The amendment that I am
23 offering would bring this map into compliance
24 with Voting Rights Act and I humbly ask for your
25 support so that I could fix the problem for Baton

Rouge which is the capital City of Louisiana and I join Miguez today in saying that my city has not been properly represented and that's why I'm asking for your support of this amendment.

SPEAKER CLAY SCHEXNAYDER: All right. There is a question on the amendment, Representative Miguez.

REPRESENTATIVE BLAKE MIGUEZ: Thank you, Mr. Speaker. Did you know that not only did you cut St. Mary and St. Martin in half, but you cut Iberia and Lafayette, every parish that touches my home parish, so I won't be supporting this either. Thank you so much.

REPRESENTATIVE DENISE MARCELLE: Thank you Representative Magee and I'm sure I won't be supporting yours.

SPEAKER CLAY SCHEXNAYDER: All right, there are no more questions on the amendment. Has there any objection to the adoption of the amendment? Representative Stefanski objects. All in favor of the amendment, vote yay. All against the amendment, vote no. The clerk will open machine. Members, vote your machines. Vote your machines members. Representative Zeringue no. LaCombe yes. The two voting members. All right, close them up.

71 nays, 30 yays and amendment fails to be adopted. Next amendment.

HOUSE CLERK MICHELLE FONTENOT: Mr. Speaker and members, the next set of amendments authored by Representative Gaines, three-page set of amendments, No. 88.

SPEAKER CLAY SCHEXNAYDER: All right, Representative Gaines, on your amendment.

REPRESENTATIVE RANDAL GAINES: Thank you, Mr. Speaker. Members, this amendment has been prepared and submitted for the purpose of bringing Louisiana into the compliance with the Voting Rights Act, 1965 Voting Rights Act to create an opportunity for minorities, black, African-Americans in Louisiana to have a chance to have a fair and proportionate representation. So, I just have three questions that I'm going to pose why is it important, why is it necessary and why now? This is a part of our cause actually that's been going on for 20 years or so. And I'm just going to give you brief view, brief segment of that enduring and challenging cause. Now, the 15th Amendment gave blacks the right to vote in 1870. It was met with a lot of challenges, opposition, suppression in 1870 so Congress

1 passed the 1870 and '71 Voting Enforcement Act
2 and it worked. It worked very effectively. Matter
3 of fact, in the 10-year period --
4 [01:10:01]
5 --many blacks in the Deep South, Louisiana
6 were elected to national office and state office.
7 Well, in 1894, that Act was repealed and within
8 10 years, every black that was elected to office
9 during that period under the enforcement of that
10 Act, was removed from office. It was another 40
11 years before another black was elected to
12 Congress. There was Mr. De Priest from Illinois.
13 So Voting Rights Act came about in 1965 to give
14 minorities the protection of the right to vote.
15 It was favored by high cause. Now, I'm going to
16 briefly mention about that cause because I got a
17 call last night from Mr. J.T. Johnson who was one
18 of the remaining five members of Martin Luther
19 King's inner circle. He was in Memphis on that
20 fateful day of April 4, 1968 when he gave his
21 life for the, sacrificed his life for civil
22 rights and voting rights and Mr. Johnson called
23 and asked, at least mentioned a part of the cause
24 because he was in Selma in 1965. [INDISCERNIBLE
25 01:11:11] read about it when many of the marchers

and protesters fought for themselves the right to vote and it made sure minorities had the right to vote. Now, four people lost their lives on that day, March 9, 1965. One was black, three were white. Jimmie Lee Jackson, the black man lost his life trying to protect his mother from being beaten by a police officer. He was killed. Mr. Daniels, James Daniels lost his life, a Harvard graduate, VMI graduate, military man, lost his life trying to protect a 17-year-old black girl from being shot. He was killed. That was paid for by a great sacrifice so it was really important to this cause of making sure minorities have fair representation that people were willing to give up their lives for that cause and to make sure that it was fair. It was another 120 years before a black was elected to Congress from Louisiana which was William Jefferson in 1991. In 1965, the Voting Rights passed giving blacks protection the right to vote. Around that time, Louisiana was about one-third black. In 1970, it was one-third black. In 1980, it was one-third black. In 1990, it was one-third and it's still, out of eight congressmen who were not able to elect a black to Congress. Finally, in 1991, we were able to elect

1 William Jefferson. Today, we have six
2 congressional seats and only one black even
3 though Louisiana is one-third black. Not
4 proportionate, not necessarily fair. This bill is
5 going to give you an opportunity to bring
6 Louisiana in compliance with fairness in the
7 Voting Rights Act. It doesn't guarantee anything,
8 it will just give us an opportunity to invoke,
9 create fair representation for the state. Now
10 this particular bill is more compact than any of
11 the bills then presented HB 1 or HB5. It has
12 minimal population deviation and it prioritized
13 community of interest. It also has the lowest
14 population deviation of any map that's been
15 presented today or last week. It has the fewest
16 number of split parishes. So this bill does all
17 of this and still enables blacks to elect someone
18 of their choice, someone from their community,
19 someone who has shared value, someone who has
20 shared interest still creates that opportunity.
21 And it does so in compliance with all federal
22 mandates, compliance with the Voting Rights Act
23 and compliance with fairness. So I ask you to
24 strongly consider supporting this bill to bring
25 Louisiana to compliance and we never want our

country or our state to be defined by the glaring contradiction of not practicing of what's professed by its creed. So I ask you for your support and ask for favorable passage.

SPEAKER CLAY SCHEXNAYDER: All right, question on the amendment, Representative Phelps.

REPRESENTATIVE TAMMY PHELPS: Thank you, Mr. Speaker. Representative Gaines, the votes were taken today in committee, were those votes, I would say consistent with consideration of the information that you just shared for all the citizens of Louisiana?

REPRESENTATIVE RANDAL GAINES: Well, the votes were consistent with the intent of the committee, one consistent with my intent because it didn't pass.

REPRESENTATIVE TAMMY PHELPS: Right, but just with the numbers that you shared about all the loss of lives and the reasons we made these.

[01:15:00]

REPRESENTATIVE RANDAL GAINES: Yeah, this bill -- this is an amendment. The bill that I presented was House Bill 8 that was similar to this bill. This bill perfected House Bill 8 by bringing it more into compliance, reducing the

1 deviation, making sure it won't split -- reducing
2 them or split parishes and making them more
3 compact so this bill basically was perfected and
4 enhanced and made better.
5 REPRESENTATIVE TAMMY PHELPS: And that those
6 committee -- it was released out of committee
7 today, correct? But all of this information
8 shared of why are we're trying --
9 REPRESENTATIVE RANDAL GAINES: Well, none of
10 the congressional bills that create a black
11 district were passed in committee today, yes
12 correct.
13 REPRESENTATIVE TAMMY PHELPS: Okay. Thank
14 you. And I think I'm listening to you sharing all
15 the data of why we're trying to even from history
16 up to us now, trying to represent all of the
17 people of Louisiana lives lost bloodshed,
18 correct?
19 REPRESENTATIVE RANDAL GAINES: Yeah. It's a
20 part of a continuing cause.
21 REPRESENTATIVE TAMMY PHELPS: A continuing
22 cause. I think we recently heard some
23 information, raised some information about there
24 was a committee put together by the speaker to
25

1 address no cover-up with a recent issue that we
2 have with the state police, correct?
3 REPRESENTATIVE RANDAL GAINES: I'm sorry.
4 What's that about the state police?
5 REPRESENTATIVE TAMMY PHELPS: There was a
6 committee that I just learned but maybe you're
7 not aware that was put together to address a
8 state police issue with all lives mattering in
9 Louisiana.
10 REPRESENTATIVE RANDAL GAINES: I'm not aware
11 of that. I've heard some periphery about that but
12 that doesn't have anything to do with my
13 particular agenda.
14 REPRESENTATIVE TAMMY PHELPS: I'm going
15 there with it. What I'm trying to say, let me
16 just go on and just be fair with it. What you're
17 saying now is you're trying to share with
18 everyone how and why it's so important that all
19 lives matter representation in the State is
20 Louisiana. The votes that have taken place prior
21 to today and today with relative to these maps
22 have not gotten out of committee and in my mind
23 and I'm trying to explain to my constituents to
24 see they are seeing there may be all lives do not
25 matter in Louisiana. Based on just trying to

fight for racial representation so all of this is going together with what's in the media today. I wanted to ask, is that still consistent of sometimes it matters and sometimes it doesn't? We have to start putting our votes where our mouths are because one minute we say it matters, one minute we say it does not. With the committee that the speaker has put together that we want to say there should be no cover-ups with any killers in Louisiana. I'm asking our colleagues here to stand and take a vote all the time where all lives matter. All the time, even when it relates to a racial issue. Even when it relates to this mapping issue. Prior to today, none of the information shared matters with the maps so I thank you for continuing now to share with us why these things, why it matters. All the data that you shared from the history that was still on this cause and it still matters, not just today, not just with the map, not just when there's a problem with the state police but we need to be consistent. Thank you for sharing that information.

REPRESENTATIVE RANDAL GAINES: Well, I do respect all of my colleagues regardless of race

or party but it is important to have fair representation that disenfranchised individuals have an opportunity to have their voice heard.

REPRESENTATIVE TAMMY PHELPS: Not just today but always. Thank you so much.

SPEAKER CLAY SCHEXNAYDER: All right. There are no more questions on the amendment. Any objection to the adoption of the amendment? Representative Magee objects. All those in favor, vote yay. All those against vote nay, no. The clerk will open the machine. Members, vote to your machines. Magee, no. Amedee, no. Marcelle, yes. Miguez, no. The two voting members? All right. Close them up. 33 yays, 70 nays and amendment has failed to be adopted. Next amendment.

HOUSE CLERK MICHELLE FONTENOT: Last set of amendments, Mr. Speaker and members, a three-page set of amendments by Representative Amedee the last two digits are 66.

SPEAKER CLAY SCHEXNAYDER: Representative Amedee.

REPRESENTATIVE BERYL AMEDEE: Thank you, Mr. Speaker. Members, I bring this set of amendments because I was contacted by people in my district.

In this bill and with the previous amendment, the problem of splitting the City of Morgan City and St. Mary Parish has not resolved. There are still three voting precincts in St. Mary that would be separated into a separate congressional district and the leadership of that city has asked me to try and do something about it. It's not about one man.

[01:20:00]

It's not about how smart or not someone is. It's not about how rich or how poor, it's about me coming here to represent the people that elected me. And so, when the leadership of a city, the only incorporated city, the only municipality within my district contacts me and says we don't want our city split into two separate congressional districts, then I feel that it's important for me to take some action. So that's why I bring this amendment. But members, I believe that this problem is going to be resolved at a later step in this process so with that, I'd like to withdraw this amendment.

SPEAKER CLAY SCHEXNAYDER: All right. No more amendments?

HOUSE CLERK MICHELLE FONTENOT: No sir.

SPEAKER CLAY SCHEXNAYDER: Back on the bill. Question on the bill, Representative Stefanski.

REPRESENTATIVE JOHN STEFANSKI: Thank you, Mr. Speaker. Representative Magee, you're a member of house and governmental affairs, are you not?

REPRESENTATIVE TANNER MAGEE: For now.

REPRESENTATIVE JOHN STEFANSKI: Do you remember we adopted redistricting criteria in that committee and as part of this body?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Okay. Do you believe this bill complies with that criteria?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Did you take into consideration the population of the state?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Did you take into consideration the communities of interest?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Did you take in consideration the geography?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Did you take into consideration the U.S. Constitution?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Did you take in consideration the Federal Law?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Do you believe this map to be legal?

REPRESENTATIVE TANNER MAGEE: Yes.

REPRESENTATIVE JOHN STEFANSKI: Thank you, Representative Magee.

SPEAKER CLAY SCHEXNAYDER: All right. To the floor on the bill, Representative Jenkins.

REPRESENTATIVE SAM JENKINS: Thank you, Mr. Speaker. According to the 2020 census, one out of three Louisianians are black but this is not shown in HB 1 Congressional Map. African-Americans make up one-third of Louisiana's population. Despite this, there's only one African-American opportunity district in Louisiana at a total of six. About 31% of black Louisianians are placed and packed into House District 2. It's very possible, very possible to draw an additional African-American opportunity congressional district. Louisiana should have two African-American opportunity districts with one anchored in New Orleans and the other anchored in

1 Baton Rouge. Both of these metro regions
2 according to the 2020 census have experienced
3 growth and are large enough to anchor separate
4 congressional districts. Orleans Parish saw its
5 population grow by nearly 12% to about 384,000
6 residents. While the suburbs of St. Tammany
7 Parish and St. Bernard Parish added residents at
8 rates of 13% and 22% respectively. Instead of
9 following the census and respecting the diversity
10 of the state, HB 1 pushes to maintain the status
11 quo. With all due respect to the hard work that
12 has been put forth by our speaker, by the
13 chairman of our house and governmental affairs
14 committee, HB 1 comes up short. HB 1 violates the
15 Voting Rights Act according to many of the legal
16 experts and HB 1 simply does not provide an
17 opportunity. Louisiana deserve maps with
18 districts that reflect a diverse makeup of the
19 state and give voters the opportunity to elect
20 representatives of their choice. HB 1 falls
21 short. I wish that I could support a bill that
22 had two districts. I wish I could support a bill
23 that would've had two minority districts. I wish
24 I could've supported a bill that had a minority
25 district and a good, good opportunity district.

HB 1 simply falls short. I'll rise in opposition to HB 1 for these reasons.

[01:25:03]

SPEAKER CLAY SCHEXNAYDER: Thank you, Representative Jenkins. All right. There are no more questions on the bill. Representative Magee, would you like to close?

REPRESENTATIVE TANNER MAGEE: Thank you, Mr. Speaker and thank you members who listened. I know it's a difficult process. It's impossible for us to have any bill or any map that's going to have 105 members support it. It's just not possible. It's not in the cards. There's going to be mayors across the state, fine mayors, good people, smart and intelligent and strong leaders in their community who's not going to like where the lines are. It's just an inevitability. There's going to be some geographical regions going to feel like they got sided, it's an inevitability. It's just simply part of the process. There's probably never been a redistricting bill process that's made all 200 mayors that we have across state happy. It probably never made every single region happy, it's impossible. In fact, I know it's not

1 possible because the last time my own region was
2 deeply unhappy about the outcome. But what I will
3 tell you is this, we looked at all the things
4 submitted, all the plans, we went to all the
5 roadshow, we listened to all the testimony, all
6 the legalities, everything happening in the
7 committee and we thought this was the best
8 approach to have an equal population map that we
9 possible could after weighing in all the factors.
10 That's the thing about redistricting, it's not
11 one factor, it's not this, it's not that. It's a
12 totality of factors and somebody has to make a
13 decision on what approach you're going to take
14 and no matter which decision they make, there's
15 going to be somebody who's deeply upset about
16 that. That's just part of the process. So
17 decisions were made to do what we thought was
18 best for the State of Louisiana to maintain what
19 we've always done. We believe that gave us the
20 best map possible, the fairest map possible for
21 the entirety of the state. And with that, I ask
22 every member even though I know not 105 of you
23 will vote for this map, I ask every member to
24 vote for it. Thank you, Mr. Speaker.
25

SPEAKER CLAY SCHEXNAYDER: All right. Representative Magee moves final passage of the bill. All of those in favor vote, yay. Those oppose vote nay. The clerk will open the machine. Members, vote your machine. Vote your machines, members. Ivey, yes. You're still voting? Still voting? All right. Close them up. 70 yays, 33 nays and the bill finally passes. Representative Magee moves to adopt the title moves to reconsider the vote by which the bill was finally passed to lay that motion on the table without objection, so ordered.

HOUSE CLERK MICHELLE FONTENOT: Mr. Speaker and members, Representative Wilford Carter moves to give a day's leave for his seatmate, Representative Moore.

SPEAKER CLAY SCHEXNAYDER: Without objection.

[01:30:00]

All right. Representative Stefanski personal privilege.

REPRESENTATIVE JOHN STEFANSKI: All right. Members, these daily announcements are becoming a regular thing. So what we're going to do is H&G is going to meet at 9:00 a.m. tomorrow morning

with its posted agenda. We'll be on the floor at 11 tomorrow. The Bill is scheduled for floor debate tomorrow will be the Reapportionment Bill for the State House of Representatives which we will plan on hearing and voting on tomorrow as of now. So come here tomorrow at 9:00 floor for 11 where we will have one bill on the calendar to debate. Thank you.

SPEAKER CLAY SCHEXNAYDER: All right.

HOUSE CLERK MICHELLE FONTENOT: Mr. Speaker and members, Representative Ivey moves to refer to morning hour number 7 for the purpose of introduction to bills.

SPEAKER CLAY SCHEXNAYDER: Without objection.

HOUSE CLERK MICHELLE FONTENOT: Mr. Speaker and members, the House Bill by Representative Ivey to enact Title 13 to repeal provision in Title 13 relative to the supreme court provide relative to redistricting Supreme Court justice districts provide for filling of vacancies to eliminate statutory provisions for a temporary additional judgeship for the court of appeal for the first fourth circuit and such judge's

appointment to the supreme court. That bill will become House Bill 22 lies over.

SPEAKER CLAY SCHEXNAYDER: Announcements.

HOUSE CLERK MICHELLE FONTENOT: Mr. Speaker and members, house and governmental affairs will meet 9:00 a.m. tomorrow, Friday, February 11, committee room 5 to hear that posted agenda respectfully submitted John Stefanski chair.

SPEAKER CLAY SCHEXNAYDER: Representative Thompson for motion.

REPRESENTATIVE THOMPSON: Mr. Speaker, members, we adjourn to 11:00 a.m., 11:00 tomorrow morning. See you then.

SPEAKER CLAY SCHEXNAYDER: Without objection.

[01:34:41]

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Anders Nelson
Project Manager

May 1, 2022