PRES. CORTEZ: [INDISCERNIBLE 00:00:09]. Secretary, open the machine for roll call. [PH 00:00:14] Boudreaux is here. Senator Luneau is here. Senator Harris is here. Senator Gary Smith is here. Senator Morris is here. Senator Connick is here. Senator Cloud is here. Senator Mizell is here. Senator Peterson is here. You through voting? Close machines. Thirty-six members in a quorum. Members today, we will be opening prayer followed by the pledge by Senator Jay Luneau.

SEN. JAY LUNEAU: Thank you, Mr. President. Members, will you join me in prayer, please? Dear Heavenly Father, thank you for this day of life and thank you for the opportunity to serve the people of this great state. Help us to remember that we are doing the people's work and help us to engage in healthy debate. Give us strength, courage and wisdom to do Your will. Lord, we ask for a special blessing upon our staff who work so hard to help us do our jobs. Protect our families in our absence and bless them for the sacrifices they make for us to serve and please Lord, forgive us all of our sins. And today, Lord, we ask that you help us to be reasonable, to be respectful and to do the right thing. So, all

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these things we ask in your son's name. Amen. Please join me in the pledge.

ALL: I pledge allegiance 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.

PRES. CORTEZ: Senator Mills. Reading of the journal.

SEC. DIXON: Official journal of the Senate of the State of Louisiana. Monday, February 7.

PRES. CORTEZ: All I move to dispense with the reading of the journal without objections ordered.

SEC. DIXON: Introductions of Senate Resolution. Senate Resolution No. 5 by Senator Cathey. It's a resolution to express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the passing of a beloved gentleman, businessman, musician and former member of the Louisiana Senate, the Honorable Paul David [PH 00:02:25] Guinn. It lies over. Senate Resolution No. 6 by Senator Womack is a resolution to express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Sammy Jones Franklin.

It lies over. Senate Resolution subject to call Senator Peacock. Now call Senate Resolution No. 4 by Senator Peacock. It's a resolution to express the sincere condolences of the Senate of the Legislature of Louisiana upon the passing of attorney and former Louisiana State Senator, the Honorable Sydney Banks Nelson and to celebrate the legacy of public service he leads to his community and the State of Louisiana. Senator Peacock moves adoption of the resolution.

PRES. CORTEZ: Senator Peacock moves adoption of the resolution without objection.

SEC. DIXON: Senator Peacock now moves to open the machine for co-authors.

PRES. CORTEZ: Senator Peacock has to open the machine for co-authors and the machines are open. If you like to co-author, vote your machines. Secretary, open the machines. Voter machines. Senator Lambert? Yes. Senator Henry? Yes. Senator Mizell? Yes. Senator Barrow? Yes. Co-authors members. Close machines. Thirty-seven yeas and zero nays.

SEC. DIXON: Reports of committees. Report of the committee on Senate and Governmental Affairs. Senate Bill 14 reported with amendments.

Senate Bill 19 reported with amendments. Respectfully submitted, Sharon Hewitt, Chairwoman.

PRES. CORTEZ: Senator Barrow, would you like personal privilege?

SEN. BARROW: Thank you, Mr. President and members. Members, I just want to remind you of something. February is early [PH 00:04:53] egg month here in the State of Louisiana. And so, each of you should have received a packet that has all this great information in it and it stats about your district.

[00:05:03]

And I just want to remind you of that. This is early egg month. We hosted a breakfast for them this morning, and it was absolutely wonderful. We have money in the budget for early education, and I know that this is a personal issue for each of us. And I'm just wanting to remind you to take a look at this as we make early education a priority. Thank you, Mr. President and members.

PRES. CORTEZ: Thank you, Senator Barrow.

SEC. DIXON: Senate Bill is on third reading and final passage. Senate Bill 1 by Senator

Cortez is an act to amend Title 24 relative to legislative redistricting to provide for the election districts for the Senate of the Legislature of Louisiana.

SEN. MIZELL: Senator Cortez.

PRES. CORTEZ: Thank you, madam pro tem. The Senate Bill 1 is the reapportionment map for the Senate Districts, the 39 Senate Districts. We spend a lot of time meeting with each and every one of you senators to discuss your districts. I have said many times that you all know your district better than anybody else in the Senate. I have to say that in those conversations with you individually and collectively as delegations, I've gotten to learn a lot more about each of your areas of the state, also having to travel to many of the areas. And I do understand better now the communities of interest that you have talked about and the core elements of your district and why certain things are so important relative to specific precincts in your district. So, I appreciate the time that we've been able to spend together. Let me talk about a little bit about before I get into the map, a little bit about the principles used to establish this map. Obviously,

the first principle is the constitutional doctrine of provision, the doctrine of one person, one vote. Everything in this map is based on the shifts in population and so as much as possible, we use the 5% plus or minus range to determine as close to the ideal population as we can than total number in your district. The ideal population was roughly 119,429 people. There were no districts that were exactly on the population so, we tried to remain in that range of plus or minus 5%. The second principle we used was to provide that the current majority-minority districts would have an equal opportunity for their minority community to let the candidate of its choice. We thought it important that we have and sustain those districts that became available or put into the map some 11 years ago when we were then under the pre-clearance process. Thirdly, as best as possible, we wanted to maintain a continuity of representation. What do I mean by that? For those people who have been elected from certain districts, those electors should have the same ability to send them home if they're not doing a good job or to re-elect them

if they are doing a good job. So that's what we wanted to work into the process as well.

[00:10:02]

The fourth was, to apply the compactness respecting the population shifts. So, with the population shifts, we knew that there was going to be some changes to the district. But we wanted to do as much as possible, keep them as compact as we could. And we were able to do that in most districts. In some districts, it was just not possible because of the rural nature of the district. The fifth principle was, dealt with the communities of interest. We wanted to ensure that communities of interest were maintained so that those like communities could stay in the same district. The last one was - and I mentioned this earlier was to preserve the cores of the existing districts. So, let me talk a little bit about the shifts in the population. Districts 28 through 39, which effectively or the district gets held by Senator Cloud, from that port, and Senator Reese to her west, and to her east, Senator Womack. Those districts all the way up to the Arkansas line, Districts 28 through 39 collectively had a combined absolute deviation of

a negative 108,633 people from the ideal population of 119,429. Effectively being collectively 91% below the ideal of a whole Senate District. Senate Districts 1, 6, 11, 12, 13 and 19 collectively had a combined absolute deviation of a positive 85,403. Those were the Senate Districts that are currently held by Senator Hewitt, White, McMath, Mizell, Pope and Lambert. In essence from the East Baton Rouge, Livingston ascension all the way to the North Shore, through the North Shore. Senate Districts 2, 19, 20, 21 and 22 collectively had a combined absolute deviation of a negative 27,454. These are the Senate Districts of Senator Gary Smith, Price, Fesi, Allain and Mills. So, you can see that certain regions of the state either lost population from the ideal or gain population above the ideal. Specifically, regionally the North Shore had a gain, the North Louisiana complete northeast and northwest, every district had a loss. So, North Louisiana, as I say, if you can cut it off and just took the upper part of the boot, that was those lost. In addition to this, Orleans Parish had an increase of some 40,000 people which has majority-minority

1 districts, but many of much of the gained 30,000
2 was white people, moving back into Orleans. So,
3 with that being the challenges, we had to figure
4 out how we were going to redraw these maps. And
5 the biggest challenge was how to draw the maps so
6 that you forced all the population into the
7 northern region from the I, 10, 12 quarter. You
8 would have had to effectively push all of the
9 North Shore population west and then get it to go
10 northeast and northwest. The challenge being that
11 in the center part of the state, the district
12 that's held by Senator Luneau is a majority-
13 minority district and it effectively created a
14 fence right in the middle of the state that you
15 had to either go around or go under in order to
16 maintain your contiguous nature of districts. So,
17 all of those things affected and culminated in a
18 decision that I had to make and that was to
19 migrate a current Senate District in the Caddo
20 area over to the North Shore. So, when you look
21 at the map, you see that Senate -- current Senate
22 District 37 has been migrated from Northwest,
23 Louisiana and has been placed in the Tangipahoa
24 essentially a Hammond based district in the City
25 of Hammond. There were some challenges that were

1 met in Southwest Louisiana, Senator Abraham and
2 Senator Stine's district both were over in
3 population.
4 [00:15:08]
5 So, we had to deal with how do we shrink
6 their geography so that they can be relieved of
7 population. In the Lafayette area, my Senate
8 District, Senate District 23 was over by some
9 20,000 people. We had to figure out how we would
10 shrink that. The ones that I did mentioned
11 earlier, but I haven't told you about were those
12 along the coast and up into the Acadiana region.
13 So, going back to those particular Gary Smith's
14 district, Senator Fesi, Senator Price, Senator
15 Allain and Senator Mills, there was some coastal
16 losses -- districts that had some losses. They
17 couldn't grow out into the gulf. They had to grow
18 north and around the basin and up the river. And
19 so that had challenges as well. Senator Katrina
20 Jackson's district had losses. It was a majority-
21 minority. It couldn't go into Mississippi or into
22 Arkansas. So, it had to grow in or south, grow
23 west or south. Senator Tarver's district was in
24 the northwest corner. It was a majority-minority
25 district. It could not grow north into Arkansas

or west into Texas. So, we'd had to come down. Effectively, everybody had to come towards the Shreveport area to pick up population. Senator Bernard had to move his district. That way Senator Milligan had to move north which, of course, Senator Reese to come north and so forth. You get the concept. So, the map that you see on the floor today is a byproduct of working with you all over the last three weeks or so to confect this. We did have a committee global amendment that got adopted that made some changes and they were all recommended by each of the delegations. And so, at this point in time, I know we have some bureau amendments and some other confecting amendments, conforming amendments.

SEC. DIXON: First set of amendments are four amendments sent up by Senator Mills on behalf of the Legislative Bureau. They're set number LSB 98. Senator Cortez moves adoption of the bureau amendments.

SEN. MIZELL: Without objections, so ordered.

SEC. DIXON: The next set of amendments are some other technical amendments. They are set number 101 by Senator Cortez.

PRES. CORTEZ: Okay. Members, these amendments are somewhat technical. They do talk about the effectiveness date -- the effective date. It's conforming amendments. It also talks about some of those appointments that Senate Districts have. And it says on Amendment No. 1, the provisions act shall not reduce the term of office of any person holding any position or office on the effective date of this section for which the appointment or election is based upon a Senate District has composed. So, it just says if you were in a term, you get to finish out that term if you were appointed by a senator for a particular district. That's all it does. I see no questions, we'll move adoption.

SEN. MIZELL: Any objections? Without objection, so ordered.

SEC. DIXON: The next set of amendments are by Senator Henry. They are set number 116 and they should be on your computer.

SEN. MIZELL: Senator Henry on the amendment.

SEN. HENRY: Thank you Madam, president pro tem. Members, what we have before you is an amendment that encompasses – I try not to make this confusing to benefit staff. What we have done is we've included several different amendments in this actual amendment. The first amendment that I'm going to speak on deals as it relates to my district. Then I'm going to ask hopefully Senator Price's hit his floor button. He's going to come and discuss the amendment as it relates to a swap that he and Senator Smith are going to do and they've agreed to it. And then Senator Talbot is going to come up and discuss a swap that he's doing with Senator Smith as well, which they also agreed to it. We're doing it this way surely for the convenience of staff. That is it. Just to make it easier for them to do three amendments. And I don't have to do so many. Do one amendment in one map instead of having to doing it three or four times. So, I hope you all can follow along with this. We'll try to make it as easy as possible.

[00:20:00]

What my amendment does is fairly straightforward. I'm taking back some of the

1 precincts in Orleans Parish - I'm taking back
2 some of the precincts I had in Jefferson Parish
3 which I've been representing for roughly 14 years
4 now. I'm also swapping precincts in Orleans
5 Parish that I had with another precinct in
6 Orleans Parish. It's relatively straightforward.
7 Obviously, this affects Senator Peterson's
8 district, the most out of District 5. It also
9 affects Senator Talbot's district who's now
10 picking up some precincts as well. He is fine
11 with those amendments, but with those
12 adjustments, I believe you'll hear from Senator
13 Peterson that she is not fine with these and I
14 can appreciate the frustration as we all can, as
15 it relates to redistricting. I can't imagine as
16 many people in here who have a district in front
17 of them that they go, well, this is exactly the
18 way I wanted it. I didn't have to give up
19 anything. If you do, you're very fortunate. I had
20 to give up a significant number of precincts in
21 Jefferson Parish, again, that I have represented
22 for roughly 14 years members, back to my time in
23 the House to pick up precincts in Orleans Parish,
24 which I will just begin to represent for the
25 first time. I am fortunate in full disclosure as

we discussed earlier downstairs in the basement that one of those individuals that I'll be able to pick up will be my sister and her husband and her four children. So, I'll be replacing roughly seven precincts in Jefferson Parish that I've represented for 14 years to pick up six people in Orleans Parish that actually know who I am. If we can do that math real quick, let's see which one of you all would like to do that. Again, it's not a perfect map. Do I love the district? Absolutely not. If I had a pen right now and didn't care what anybody else thought and didn't try to work with my colleagues, it would be look like a whole bunch different. But that's not the way we have it now. I see, I have a question --

SEN. MIZELL: Senator Peterson, for a question. Senator Peterson, for a point of order.

SEN. PETERSON: Yes, thank you, Madam pro tem. I'd like to make a motion to separate the amendments. It's a debatable. I can explain why members. Some of these amendments I have no problem with whatsoever, but the amendment that Senator Henry has just proffered as well as this amendment that affects Senate District 7, Senator Carter's district along with the current district

that I represent. Those districts, they are very-very contentious right now because they dilute minority vote. They are not compact and it violates the Voting Rights Act. And so, in order not to get takeaway from the easy amendments where there may be a flip of a precinct with Senator Price and I think you mentioned Senator Tab -- how many? Is it three amendments or four?

SEN. HENRY: My amendment deals with our districts. Senator Price's amendment deals with Senator Price and Gary Smith. Senator Talbot's amendment deals with Senator Talbot and Gary Smith. There's nothing that deals with Senator Carter's amendment in this.

SEN. PETERSON: Okay. So, with that, I want to separate your amendment from Senator Smith and Senator Talbot and Senator Price and Senator Tab - or Senator Smith, I'm sorry. The other two amendments that don't deal with our districts because that one is contentious. Let me tell you what the amendment that I am -- but I want to make sure that the motion to separate, is it debatable?

SEN. MIZELL: I think we need the parliamentarian. Senator Mills, can you join us?

SEN. PETERSON: Okay. We're going to have a real longer discussion about what Senator Henry had already shared with me that he wanted the three precincts which include Loyola University, Tulane University which happens to be where his older sister lives which he had already indicated to me that he couldn't pass up the opportunity to represent his older sister which he shared with you at the mic. That is not a basis for redrawing a district, just FYI. It's nice. I'd like to have all of my family in my district because that increases the votes for someone who's getting elected. But that's not the basis for changing a district.

[00:25:00]

The redistricting process, and the reason we come here every 10 years is to represent our citizens, not family. The other reason I object to that -- but I really think that Senator Price and Senator Smith's agreeable -- they should not be a part of this. So, if I could get that, Senator Henry and I can kind of deal with what we got to deal with and Senator Smith and Senator

Price don't have to be a part of this. Senator Henry, are you objecting to that?

SEN. MIZELL: Members, the parliamentarian has ruled that it is a debatable motion.

SEN. HENRY: So, members, let me explain to you why we have these two amendments in here. Should my amendment pass alone by itself? Then I go sit down and Senator Talbot brings up an amendment, okay? He has an amendment that draws a line of precinct that moves no people. When that amendment passes, it eliminates my amendment, so then I have to bring another amendment that we just did to take care of that one. Then when Senator Price brings an amendment to take care of his problem, which they both agreed to, both Senator Talbot and I have to come back and do another set of amendments because -- as Senator Price amendment would cancel out ours. So, all we're literally trying to do here on this -- mine is complicated, I'll agree to that. The other two aren't is to prevent us from having to do the same amendments three times so we can catch up maps. That's it. There is nothing sneaky about it. I don't do that. Senator Price does not do that. Senator Talbot does not do that. Senator

1 Smith does not do that. That's the reason it's
2 here, so I object to separating it because I put
3 it together because it's an easier way to do it
4 as it relates to our staff, if you all have been
5 working with, we're renting them out. Any break I
6 can give them, I'm going to take and I would hope
7 you would do the same. Thank you.
8 SEN. MIZELL: Members, we have before motion
9 to divide the previous amendment. If you would,
10 Secretary, open the machines to vote yay is to
11 divide.
12 SEC. DIXON: So, as I understand the motion,
13 the motion is to take out from the amendment
14 Districts 5 and Districts 9.
15 SEN. MIZELL: Is that it? Five and nine? The
16 motion is to take out Districts 5 and 9. If
17 you're in favor of the motion, you will vote yay.
18 If you're not in favor of the motion, you will
19 vote nay. The Senator also has a right to close.
20 SEN. PETERSON: Okay. So, I just asked
21 Senator Henry if they're all related and they're
22 not related. They're not related. And so, the
23 issue that is in dispute on the districts are the
24 three precincts that he's pulling from the
25 District 5 that includes Loyola and Tulane

University and where his sister lives. I again want to make sure that Senator Smith and Senator Price get their business addressed and I think that can be easily done by separating these amendments, then we can go back to I guess debating the actual change in Senator Henry's district.

SEN. MIZELL: Senator Peterson, the staff has advised that they cannot be divided. We'll have to go with a separate one for two, 10 and 19.

[00:30:00]

SEN. HENRY: So, I object to Senator Peterson's motion in case you all didn't pick up on that last time.

SEN. PETERSON: All right. So, let's go ahead and just debate the amendment. I'm going to withdraw the motion to bifurcate so that I don't have to go and redraft two amendments. So, I'm going to withdraw that, Mr. President and Madam Secretary, I'm withdrawing that amendment. Is it my turn to object to the Amendment 116? Okay. Thank you. All right. Let me do this first. Senator Henry has the floor on his amendment? I have questions to him.

SEN. MIZELL: Senator Price, do you have a question on this amendment? Oh, you're on there.

[BACKGROUND CONVERSATION]

SEN. MIZELL: Senator Price?

SEN. PRICE: Thank you, Madam pro tem. On the amendment that we have that staff had advised us, Senator Smith and I discussed switching two precinct. Well, I would pick up 7-3 and 7-7, and I would then move 1-4 into his district, and we both agreed upon that, and that's all we were doing trying to balance some numbers. So, this was all contiguous within what we needed to do. So, 7-3 and 7-7 would come to me and then I would give up 1-4 to him. That's all my amendment does. See no question.

SEN. MIZELL: I see no questions. Is there an objection? Senator Henry? Senator Talbot to the floor.

SEN. TALBOT: Thank you, Madam pro tem. So, what my amendment does for the last -- I think 36 years. The New Orleans Airport, which is in the City of Kenner was in this district which I represent. What they did if you look at the map, Precinct 26K, there's a line that was there in the current district that is just the Illinois

Railroad, and that separates the actual community, the people that live in this district from the actual airport. We're just going back to the way it is now. We're going to draw that line back and we're going to put the airport. No people live there back into the Kenner part of this district. So, I ask for your favorable passage on that. I'm happy to answer any questions.

SEN. MIZELL: I see no questions. Senator Talbot to close? Senator Henry to close.

SEN. HENRY: I believe Senator Peterson has some questions for me. We were just trying to get those throughout the way so we could just get straight to this one. That's the most controversial one.

SEN. PETERSON: Thank you, Senator Henry. Can you tell me why it is that you chose those particular precincts to change in the map?

SEN. HENRY: The original precincts that were put in were 16-4 through 16-8. At no point in time was I asked what precincts I would like to take in Orleans Parish, nor at no point in time was really any indication was given to me that I'd have to pick up five more precincts in

1 Orleans Parish. I just saw it on a map and called
2 you and said, I'm picking up a whole bunch of
3 precincts in Orleans Parish. I don't know anybody
4 there. I'm going to move them around, and more or
5 less my recollection and she said, do what you
6 got to do. So, I did what I had to do and I moved
7 them around to other areas. The memo came out
8 again differently from committee, different than
9 we had already discussed.
10 [00:35:01]
11 So, my Orleans districts - my Orleans
12 precincts continue to evolve without any of my
13 input, and normally, I'm a pretty laid-back guy
14 with things, and I try to do the best to help all
15 of my colleagues. But in this case, the fact that
16 I had continued to be giving precincts in Orleans
17 Parish without even the consideration of being
18 asked, without the consideration of being asked
19 just these are your precincts. I'm not saying you
20 did it. I don't know who did it, and it really
21 doesn't make a difference at this moment. What
22 I'm trying to do is adjust the district in a way
23 that I think is fair to everyone within reason. I
24 know you don't like it. I get it. I don't think
25 any of us love that district, but that's how the

1 process unfortunately went on my side. I wasn't
2 in any of the meetings with you to discuss it
3 because either neither of us were there or one of
4 us was not there. So, that's just kind of where
5 we are.
6 SEN. PETERSON: Again, why did you choose
7 the precincts that you chose?
8 SEN. HENRY: I picked up 14-18A because it
9 fits below. I think I have my map right here. As
10 you pointed out when you and I spoke, Precinct
11 14-13A is in the district now as an additional.
12 14-12, 14-9 is in the district. So, we're picking
13 up 14-18 which would put the boundaries between
14 Claiborne and my current district. It definitely
15 community of interest when you look at the number
16 of students and faculty, I'll be picking up that
17 I'm already picking up between 14-12 and 14-19.
18 That is filled with faculty and students that
19 currently go to both of those universities, both
20 Tulane and Loyola. If anybody knows anything
21 about New Orleans, you don't have general idea
22 where Broad Street is, and if you're on the
23 younger side, you're probably stumbled by the
24 Buddha Waldos. In that area is where a tremendous
25 amount of both Tulane and Loyola professors and

1 students live. This would allow me to represent
2 the students, professors who live there as well
3 as the actual university. Short of the fact that
4 I actually went to Tulane University and
5 remembered by that every month for my $283
6 student loan that I pay that I feel like I'll be
7 paying forever. I felt a good connection to
8 Tulane as well which I was happy to take them
9 under if I could. Obviously, I have one sister. I
10 have two sisters, a brother and a father who is
11 deceased and a mother all who are graduates of
12 Loyola University and as many of you know a
13 Jesuit School where I also went to high school.
14 So, to try to figure out what would be the best
15 fit for me and help those universities both
16 Tulane and Loyola. Given that Loyola is just
17 coming out of a pretty much close to bankruptcy
18 where it was unfortunately, but it does have the
19 first female. Tetlow is her name. The first
20 female president right now which I think is a
21 nice honor for Tulane. Excuse me, for Loyola.
22 Tulane has FITTS right now, F-I-T-T-S as the man
23 in charge. So, that's kind of why I chose them.
24 SEN. PETERSON: So, you said you thought
25 you'd do it, because you could help them out and

it's a good fit? Using your words, it's a good fit for you?

SEN. HENRY: I think it's a good fit for the university as well. I mean, I have a significant amount of Orleans Parish in my district now, and I'll continue to be able to help those folks out. Just as I would in the other time. Just like I help out UNO, and I don't live there. I help out Baton Rouge, I don't live in Baton Rouge. I mean, that's experience I've been able to pick up dealing with the budget a little bit, and I'd like to better continue as best I can to help both those universities as well as all the universities which clearly have a record of doing.

SEN. PETERSON: So, does it take the amendment that you're offering? Does it move Loyola University into District 9 - District 8 and Tulane University into District 8?

SEN. HENRY: District 9?

SEN. PETERSON: District 9. I'm sorry.

SEN. HENRY: Does it take Tulane and Loyola and move them into District 9? If that's what's in 14-18A, then I believe so.

SEN. PETERSON: Are you suggesting you didn't know that?

SEN. HENRY: I haven't been able to really had the opportunity to look at any of these precincts until about three days ago when I was going through working it out. Am I going to be shy and saying that I want to have Tulane and Loyola in my district? No. I'm happy to take it all day.

SEN. PETERSON: You don't remember having a conversation with me and asking me if we could split the baby? Karen, you take Loyola and you take Tulane. Are you standing here before this body saying you don't know what those two precincts represent? Are you really doing that right now?

SEN. HENRY: What I'm doing is explaining the amendment that I have. The conversation that I originally had with you was come and go do what you got to do. So, I did what I got to do. The last conversation you and I had, you told me you didn't like the amendment. You wanted to keep discussing it, and you did not want me to bring an amendment in committee.

[00:40:06]

Which I said, okay, we'll just keep working at it. And that's what I've done. You're going through a process of objecting to it. I'm going to a process of trying to pass it. One of us is going to win and I guess get the amendment we like, the other one won't. This isn't a personal attack on you.

SEN. PETERSON: I never said it was.

SEN. HENRY: I'm not saying you did, but I want to make sure everybody listening knows it's not an affront to you. I mean, we've served together on this body and that body is just sometimes we get things get a little tense and --

SEN. PETERSON: I am not tense right now. I'm going to ask the question again. Do you remember having a conversation with me where you said what you just alluded to and inferred is that you didn't know what the precincts in the amendment that you're bringing before this body included. So again, do you know that they include Loyola University and Tulane University? I'm going to start there again.

SEN. HENRY: Yes, I'm very well aware that they include Tulane and Loyola because --

SEN. PETERSON: Okay.

1 SEN. HENRY: -- I specifically looked at
2 precincts that I thought I could -- that would
3 fit -- that I wanted to have and kind of what we
4 do during redistricting when you give and take. I
5 didn't look at the Jefferson side and say, you
6 know what, guys? I have way too many Jefferson
7 Parish precincts. Let me give some of those up.
8 That didn't come to mind. I was pretty much said
9 I have to give them up. So, if I have to give up
10 something on one side and I have the option to
11 take something remotely that I'm familiar with,
12 which would be Tulane and Loyola, I'm going to
13 take them if the body allows it. If they don't
14 allow it, well, then I won't.
15 SEN. PETERSON: I just want you to be
16 forthright because in just two minutes ago, 120
17 seconds ago, you said, I didn't really have a lot
18 of time to figure out what this is, but you
19 prepared an amendment and you've had several
20 conversations with me specifically about these
21 universities. So, when you present, be forthright
22 and tell the truth, because what you didn't
23 present just now is the truth. You can blow as
24 long as you want to blow. And the other reason
25 you told me is that you couldn't pass up the

opportunity to represent your sister. Is that correct?

SEN. HENRY: As I stated downstairs in the basement breakfast today, and I stayed a little while ago, that was exactly what I told everyone very forthright, because I imagine if you went through your districts right now, you probably know whether or not your mom or your dad's in it, your legislative assistant, a good friend, any of those types of things. And we actually pick our district sometimes by people that we know in them, if we have the opportunity to do it, so I did. And if you think I lied to you, such as life. Any more questions?

SEN. MIZELL: Senator Peterson to the floor.

SEN. PETERSON: Thank you, Madam pro tem. And thank you members for indulging in the debate and the discussion about something that's really important. So, every 10 years, this is my third time doing this. I did it in 2020. I did it in 2010 and what's always driven me in the redistricting process is not what my district looks like. If you look at the record, I didn't vote for plans in the past, not because of what my district looked like. It was because it wasn't

1 fairly a portion to the population of this state.
2 In this instance, I'm going to stick to the
3 amendment. The amendment has nothing to do with
4 me. It's not personal. I'm not excited. I'm only
5 preparing for this record and trying to tell you
6 what the motive and the intent was for this
7 amendment. The motive and the intent for the
8 amendment was to take the economic engine out of
9 District 5 which are impart Loyola and Tulane
10 Universities which has been represented by this
11 district for decades. I am term limited. I am not
12 running for this office again. I have no idea who
13 will run for it, but I know that it guts the
14 economic engine of the district, and it's not
15 fair. Now, let's go back. Why are we in this
16 position that Senator Henry is even having to
17 make amendments to his district? Why is that?
18 Because the population shift in Orleans Parish,
19 it was increased by 40,000. The President stated
20 that in his opening remarks. Thirty thousand of
21 the 40,000 people are white people. My district,
22 District 5 has transitioned over the last 20
23 years and it is now comprised of more Caucasians
24 than African-Americans, Asians, Hispanic and
25 other. At now, at the time when the census was

done right now, it's about 44% white. So, President drafted a Bill and his intentions were to make a district that is not black-black. Yes, I am black and I have been representing a district and elected twice by white people and black people. The majority of the district is white. That's what happens when you give people an opportunity to elect the candidate of choice.

[00:45:03]

What has happened in New Orleans is there's an influx, obviously by the numbers and what we want to do here is ignore the population shift in part. And so, for the last several months, there's been an enormous amount of energy in shifting and redrawing districts, not based on redistricting principles. But primarily based on what Senator Hewitt would not like to hear, but race. So, the plan violates Section 2 of the Voting Rights Act. Let me give you some numbers. Jefferson Parish -- I'm not going to give you the details because you have most of this, you all have seen it, you've gone to hearings, you've done road shows. Jefferson Parish, approximate numbers is represented half of the population in Jefferson Parish is non-white. 440,000 people

1 right now. 220,000 of them are black, Asian,
2 Hispanic, and other, right now. Jefferson Parish
3 is currently represented by several senators.
4 There are African-Americans in Jefferson Parish
5 who have been asking for a very long time to have
6 a district drawn, where they have an opportunity
7 to elect a person of choice. However, that's been
8 very difficult. Why? Because you have a
9 population of 440,000, you have Senator Smith's
10 district. You have Senator Talbot's district. You
11 have Senator Henry's district. You have Senator
12 Bouie's district. You have Senator Peterson's
13 district. You have Senator Carter's district, all
14 breaking up what we call cracking is a
15 redistricting principle, which is diluting
16 minority voter participation that doesn't permit
17 them to elect the candidate of choice. And so,
18 when you separate the population -- remember
19 220,000 are non-white, half the Parish before
20 white male republicans represent the district.
21 Without an opportunity for democrats or the core
22 of the district I should say, democrats or
23 African-Americans to get a candidate of choice.
24 The exception of Senator Gary Carter, which we'll
25 get to that when he brings his amendment which is

1 a whole another issue. Why is it that minority
2 populations have to work so hard to be treated
3 fairly? If we're going to take a district from
4 North Louisiana based on population -- Mr.
5 President, your Bill, because population on the
6 North Shore, all those Parishes you went through.
7 Population in the northwest has changed,
8 deviation is below, northwest deviation. We need
9 to add a district. If we choose, why do we choose
10 to look at some numbers and population shifts and
11 ignore others? This has been happening over the
12 last 30 years in Jefferson Parish but we can't
13 draw a district, one, when it really should be
14 two. Hello. Do the math. 220,000 straight up. I
15 give them to you so I can make sure the record
16 straight because we need the records straight.
17 2020 census population Jefferson Parish, 440,781.
18 White, 220,935. Black, 126,217 which happens to
19 be only 7,000 people over the ideal population
20 for an entire district. Asian, 23,024. [PH
21 00:49:18] Ahmadian, 7,686, other 62,919.
22 Hispanic, 79,057. Now, here's where it really
23 gets interesting. The total population change in
24 the Parish, which most people look at is 8,229.
25 Okay. So, Jefferson Parish gained 8,000 people

1 approximately. The decrease in white population
2 was 51,180 in the Parish alone. Why is it that
3 we're only going to look at when it's convenient
4 for incumbent protection and maintaining
5 districts or choosing precincts where my sister's
6 lives?
7 [00:50:00]
8 Or taking the economic engine out of gutting
9 a district which is the core constituency for the
10 last three decades, because it makes somebody
11 feel good, and I think it's a good fit. Are you
12 kidding me? That's not what we're here for.
13 People are paying attention. Now, you can vote
14 for this. I will not lose a bit of sleep because
15 I'm doing what I'm supposed to do right here at
16 this microphone, representing people and telling
17 you that it's wrong and it's unfair. I'm begging
18 you not to follow what's popular or maybe
19 politically comfortable, because it's not right
20 by people. It's based on race. It's driven by the
21 wrong thing. The increase in Black population in
22 Jefferson was 99,218. The increase in Asian
23 population was 4,381, and Minden 4,284, other
24 41,526 and Hispanic 25,355. If you add up the
25 Hispanic, other and Black population, that's an

1 increase of 77,000 people in Jefferson Parish of
2 that demographic and a decrease in 51,000
3 Caucasian. How is it that we ignore the
4 population and demographic shifts to the extent
5 that we are denying a clear population shift and
6 denying a people an opportunity to elect at least
7 one candidate of their choice? Why? You can't,
8 like, spew the rhetoric and not back it up with
9 action and fair amendments and legislation. It's
10 just not fair. You can do it. I'm not saying you
11 can't. You can. Of course, you can press red or
12 green on anything that you want. But at the end
13 of the day, this isn't fair. And I think
14 everybody knows that inherently, that it's just
15 not fair. Black people have gone through a lot in
16 this country, and certainly, I expect the other
17 Black people that represent Jefferson Parish to
18 stand up for them. I got two precincts in
19 Jefferson Parish right now. You all probably
20 like, what is she doing? I don't represent them.
21 There are three other senators that have the West
22 Bank of Jefferson Parish in particular. Not you,
23 Katrina. Okay, you're making sure it's not you.
24 All right, stand up. All of this is happening
25 because people don't want to represent the Black

1 folks on the West Bank of Jefferson. Yes, I said
2 it. What's up with that? Why we got to do all
3 these shifts? Why we got to do that? It isn't
4 right. Always good time to do is right. Right
5 now. Senator Henry, I had to object to your
6 amendment. It's self-serving, in my opinion. You
7 absolutely knew what you were doing when you took
8 those particular precincts and flipped them out.
9 It doesn't comport with what the President
10 suggested which is to keep the basic composition
11 of existing districts. These are core elements
12 and economic engines. Students, faculty, economic
13 engines of a core district. It goes completely
14 against what the President has laid out in
15 redistricting principles. That's why in global,
16 you don't see this amendment in the committee.
17 The President didn't offer this. The President, I
18 don't blame him. He's trying to stay out of the
19 middle of this. He's like Jesus. Lord, have
20 mercy. Can you all just get along in New Orleans
21 and Jefferson? I said, "Man, look, I get it. I'm
22 not even asking you to get in the middle of this
23 debate. I don't envy you, but I ask you, along
24 with others, to do the right thing." It's not
25 right. And people just deserve to be treated

fairly and think about if it were your district. It's not my district. It's the people's district. But think about if the district that you see now in front of you in the form of this amendment, is it right to make this amendment and it's not. It's just not. So, I ask you to join me in opposition to the amendment.

SEN. MIZELL: Senator Connick to the floor on the amendment.

SEN. CONNICK: Thank you, Senator Peterson. I'm from the Westbank. I born and raised Westbank. My family goes back some 100 years. In my district and you can tell by my historical votes, I'm going to represent African-Americans, the Hispanics, the Whites, the Blacks, whoever.

[00:55:05]

I'm going to represent the West Bank no matter who's there. I want to correct something Senator Carter Peterson said. She said trying to make a point that Jefferson Parish has four white males representing them. But you know what? She's right when she said that. But look at what's happening. Gary Smith, his main district is in St. Charles Parish. He comes in and takes a portion of Jefferson. Karen Carter Peterson to

1 save her district based in Orleans Parish, she
2 comes along Hollygrove, along Airline Highway to
3 get to Jefferson Parish. She didn't complain
4 about that 10 years ago. Then you have sent Gary
5 Carter, who's in Algiers he comes in and gets the
6 African-American that's on a West Bank.
7 Everybody's divided in West Bank up when it's
8 convenient, they take it when it's convenient for
9 them just to say that we got to have compactness
10 and this and that, but when it's not, they take
11 the other side of the coin. I agree we need
12 another West Bank district, minority district in
13 Jefferson Parish based in Jefferson Parish. But
14 you know what you do? You carved up your District
15 5 in Orleans Parish and carve that in Orleans
16 Parish and have one minority district in West
17 Bank. One minority district. The three minority
18 districts in New Orleans Parish. You have three
19 other districts in Jefferson Parish that are
20 represented as we are now. There are different
21 ways to skin a cat, but to come up here and cry
22 when it's something that doesn't fit you but you
23 accepted 10 years ago. I was done 10 years ago it
24 just doesn't make sense to me. We need to work
25 together and represent each other. The West Bank

needs to have representation. The economic engine that you talk about, I understand that. But the economic engine on the West Bank is everything. We have no ports. We have no big industry, no universities. But we do have representation there and I'm against -- I just want to make a statement about what was said about the West Bank and how Jefferson Parish has to give up everything when it's in the past, all these parishes have been taken from the West Bank for years and years and years. That's got to change.

SEN. MIZELL: Senator Peterson for a question on the amendment.

SEN. PETERSON: Yeah, just clarity, Senator Connick. I understand most of what you said, but I have to clarify. I didn't draw this district last time so don't credit me with putting in Jefferson Parish and splitting it up. I would have never supported that.

SEN. CONNICK: Did you vote for it?

SEN. PETERSON: No, I don't recall voting for the district. This is not good. It's not good. Cracking a district is not good.

SEN. CONNICK: But you have that district as a crack in the Jefferson Paris as a key?

SEN. PETERSON: No, it exists. But that doesn't mean it's not the ideal district for the people, okay? And I'm not crying, number one. And number two, I'm not crying. I'm not crying. I'm laying out problems with what exists in the amendment and so I don't know how you interpreted that. Did you see tears? No.

SEN. CONNICK: A little bit.

SEN. PETERSON: Senator Luneau has a point of order.

SEN. LUNEAU: Madam Pro Tem, if this amendment is voted down, can the amendments be brought back individually and not in conjunction with one another?

SEN. MIZELL: I'm told, yes. Senator Peterson, did you want the floor in the amendment? Okay. Senator Henry has offered amendments to which -- Senator Henry disclosed.

SEN. HENRY: Members, just to address a few things. With this amendment, I will represent the majority of the 14th Ward in Orleans Parish below Claiborne Avenue except for one precinct. Tulane and Loyola will still be economic engines in Orleans Parish. The universities are not going to cede to Jefferson Parish. They'll still be in

Orleans Parish. They'll still be economic engines in Orleans Parish. They'll just be represented by someone different than Senator Peterson. So, I wanted to make sure that we didn't think during redistricting that we move parish line.

[01:00:00]

-- so that we were going to consume them. They're going to stay in Orleans Parish. I ask you to help me get this district back to this close to have had it for the past 14 years. I'm going to ask your favorable passage. Thank you.

SEN. MIZELL: Members, Senator Henry has introduced an amendment to which Senator Peterson objects, Amendment No. 116. When the machine is open, all those in favor of adoption will vote yeas, those who oppose will vote nay. Secretary will open the machines. Twenty-eight nays -- I mean, 28 -- I'm sorry. Secretary, close the machines. Twenty-nine yeas and nine nays. The amendment is adopted.

SEC. DIXON: Next set of amendments are by Senator Carter. They are Set No. 100. Set No. 100.

SEN. MIZELL: Senator Carter, on your amendment.

SEN. CARTER: Thank you Madam President and Secretary. Members, my amendment anticipated Senator Henry's amendment in all the forms and all the various parts of it also getting adopted and what this amendment does, what I'm proposing maintains not only the integrity of all the districts, it also establishes -- it also follows all the principles laid out by the president. It follows the law, it follows the shifting demographics where the population shifts has come, and importantly, it protects the majority and minority districts. Senate District 5, Senator Peterson's district in the current version of the bill the engrossed version of it, the African-American voting age population is 50.9, that essentially makes it a toss-up district. Senate District 5, Senator Peterson's district has a long historic history prior to it being represented by Senator Peterson, it was represented by Senator Cheryl Gray Evans. Prior to her, it was represented by Diana Bajoie. That's important because she was the first African-American senator here in the State of Louisiana and what this amendment does and it only swaps precincts between Senate District 7,

Senate District 5 is it maintains and enhances that majority-minority district for Senate District 5. And so, under this amendment -- sorry I need my glasses-- the voting age population goes up from 50.9 to 54.58 and then the registered African-American voters go up to 57.9. It strengthens, enhances and makes certain we have an African-American continue to have an African-American possibility of representing District 5. In addition to that, it maintains the integrity of all the other senate districts. It does not affect Senator Henry. It does not affect Senator Talbot. It doesn't affect Senator Bouie, Senator Harris and the numbers are strong as well for Senate District 8, Senator Connick and that's what the amendment does and I ask for your favorable passage.

SEN. MIZELL: We have a question on the amendment from Senator Peterson.

[BACKGROUND CONVERSATION]

[01:05:00]

SEN. PETERSON: Senator Carter, in the current district before this amendment, before the census, the existing district that you just

ran in, can you tell me what precincts changed from District 7 now?

SEN. CARTER: This is -- I'm sorry, this is my first time on the floor. Your question is what changed in my amendment regarding District 5 and 7?

SEN. PETERSON: What changed in District 7 from as it exists today and in this amendment?

SEN. CARTER: What this amendment shows is if you look at the demographics and the voting patterns --

SEN. PETERSON: I am asking by precinct.

SEN. CARTER: If you look at the voting demographics based upon the census what we see, is we see an increase of voters returning to the New Orleans area. You have 40,000 people moving in to the City of New Orleans and so, my district has to gain approximately 5,000 to 7,500 people, and so what this district shows what this amendment shows is my district gaining those voters into District 5 and so when we've been having these conversations, these very difficult conversations about how to best go about redistricting, there was various iterations of this map that was proposed. One version of it had

my district crossing over into your Senate District 5 and going left along the river area. It was my understanding that that you objected to that so we did another version of it that instead of going left along the river, we had another version of the map that went right along the convention center front into the superdome. It was my understanding there was an objection to that as well. So, this version of it, it has my district going around those areas, going up instead of going left or going right so we've been working on various iterations to deal with any of the concerns and in the amendment itself, has a list of all the various precincts that are included in the change.

SEN. PETERSON: Can you please go through for the record I need you to tell me what district -- what precincts that are currently in your district will no longer be in your district based on this amendment?

SEN. CARTER: It's quite a few. If you go to my amendment on page one -- well, it's Amendment No. 2 on page four, you have Senate District 7 is comprised of -- all of the precincts right now that begins with 15, those are precincts that are

located in Algiers as we call it the west bank portion of Orleans on the West Bank. All the other precincts that involve other numbers, those are the ones that's being included. So that is Orleans Parish precincts 11, 12,13 -- I'm sorry.

SEN. PETERSON: That's not my question. Let me try again. It has nothing to do with what's in my district. What's in your district right now, today that you just ran for that will no longer be in your district when this amendment passes?

SEN. CARTER: I gave you a list of all the precincts that are being moved from one to the other and I'll try to give a list of them variously and it seems like --

SEN. PETERSON: The ones that you've taken out.

SEN. CARTER: Those are the ones I just was going through and you're cut me off but I could tell you that --

SEN. PETERSON: That was a different one. Which precincts that are in your district now that you've taken out?

SEN. CARTER: I don't think it's a matter of taking precincts out as much as its first and foremost trying to solve the -- as we look at the

redistricting and we look at the principles that apply and one of the key parts of it is how do we keep your district majority African-American. If you look at the amendment -- so as we look at the -- that is cutting me off. If we look at the principle of trying to make certain that your district remains an African-American district, where does it grab those African-American voters and we have growth from Senate District 3, Joe Bouie's district that's causing his district to shift.

[01:10:00]

It's in Ninth Ward, St. Bernard and vacate the West Bank. And so those are the precincts that are now under this amendment. If I look at -- I'll get my glasses again, so that's precincts 168, 191, 187, 200, 181, 180, 173, 171. Those are precincts from Doc Bouie that are being moved to Senate District 5. And looking at this amendment, it also affects my Senate District if you look at the precincts 197a, 205, 196, and the numbers are really small so we have a printed-out version that gives all the various precincts that is included with the reports included in the amendment.

SEN. PETERSON: There are a lot of people that are watching right now and they just get the amendment when it gets dropped. So, I'm going to try this again. You have it in front of you. I want to know what precincts are in your district currently that will no longer be in the District 7 when this amendment passes? That's a very simple question.

SEN. CARTER: In addition to the ones that I just mentioned, there's also the portion of Plaquemines Parish that I represent and those are precincts 21, 31, 51, 41, 61 and I believe 62 as well. In addition to the ones that I mentioned previously about 197a, 205, 196, 216c, and the related precincts going around them.

SEN. PETERSON: Just being general, it'd be great If you could really give specificity so that members -- not only members but the public will know exactly which precincts are being taken out of District 7 with this amendment and moved and I know it's attached to this map so if you could look at the map and tell me what precincts are moving that are being taken out of District 7.

SEN. CARTER: I believe I've answered the question. I really don't have anything else to add. I went through the numbers. I can list them again for us. I could give them again to us. And we also just in case I may have overlooked one, we have a printed-out list and also is my understanding the amendment is published, it's available online. And we've been working on this for quite some time quite honestly. And so, I went through them and I can give you the list of them again so we're looking at 197, 218c, 205, 196, then we have down in Plaquemines, and the related ones. They are small ones built inside of them and there's a list of them and we have in Plaquemines Parish the 21, 31, 41, 52, 61, 62, and then of course the ones from Senator Bouie the ones I previously mentioned 188, 191, 187, 201, 200, 180, 181, 173, and 171. But I believe I've answered the question.

SEN. PETERSON: Thank you. I have a couple of more questions. Senator Carter, can you tell me what precinct Representative Kyle Green and Representative Rodney Lyons live in?

SEN. CARTER: Can I tell you where Representative Kyle Green and where

Representative Rodney Lyons, what precincts they live in?

SEN. PETERSON: Yes.

SEN. CARTER: I do not know off the top of my head exactly what precincts they live in. I can tell you generally where they both live and I don't want to say their house name, I mean their house address, that kind of information. No, I'm just saying. Trying my best to answer the question, Senator.

SEN. PETERSON: What precincts do they live in or what area do they live in?

SEN. CARTER: Again, I cannot tell you off the top of my head, I do not know the precinct that Representative Kyle Green or Rodney Lyons live in. I know that Representative Kyle Green lives I believe in Marrero, I don't know the specific neighborhood. I will be guessing Westminster but I don't believe I've ever been to his house. Representative Rodney Lyons lives in Woodmere. I know where his house is, I can't tell you what precinct that is.

SEN. PETERSON: Would you be surprised if I told you that two West Bank Precincts where they

1 live are now in District 5 which has been East
2 Bank District? Would you be surprised?
3 SEN. CARTER: Would I be surprised? I think
4 the issue is wasn't looking at politics as much
5 as how do we maintain Senate District 5 as being
6 a majority-minority district. And so, when you
7 have Senate District 5 as you pointed out, now
8 that population of this district is 44%, 45%
9 white and we're looking where does it achieve
10 minority voters and given the population shifts
11 that we see in the Ninth Ward and the St. Bernard
12 Parish that causes Senator Bouie's district to
13 shift, these are the shifts that we're talking
14 about.
15 [01:15:17]
16 The ripples that we see in the maps aren't
17 being driven by where this representative lives
18 versus this representative as much as it reflects
19 the demographics, the law, and making sure we
20 maintain the majority African-American basis of
21 District 5 which this amendment does, this
22 amendment enhances as African-American
23 representation.
24 SEN. PETERSON: What was the Orleans Parish,
25 Jefferson Parish split in District 7 based on the

1 census numbers right now? What is it right now
2 before any changes?
3 SEN. CARTER: Can I make sure I understand
4 the question? Your question is to make sure what
5 is the breakdown of my current district in terms
6 by parish?
7 SEN. PETERSON: The breakdown based on the
8 census, 2020 census? If based on the census and
9 the way it is right now?
10 SEN. CARTER: My district is currently a
11 plurality Orleans Parish. It consists of 48
12 precincts in Orleans, essentially 40% Jefferson
13 around 12% Plaquemines. And I would also like to
14 echo Senator Connick that I represent all of the
15 people at my district regardless of whether or
16 not they're in Orleans Parish, whether or not
17 they're in Jefferson Parish, whether or not
18 they're in Plaquemines Parish, whether or not
19 they are White, they are Black, Republican or
20 Democrat. And one of the -- quite honestly, when
21 we look at this, when we look at these numbers,
22 these aren't just numbers. These are people,
23 these are the people we represent, these are the
24 people we fight for, these are the people we care
25 about. We carry their burden we try to ease their

1 pain and deliver them resources. That has been
2 driving this on top of the law, on top of the
3 principles of maintaining a majority-minority
4 districts. That is what's been driving this
5 process.
6 SEN. PETERSON: Under the current amendment
7 what is the split Orleans Parish, Jefferson
8 Parish?
9 SEN. CARTER: What will be the split under
10 this analysis? Under this analysis I believe,
11 under Jefferson Parish would approximate to be
12 43% of the district. Orleans will be right at 50
13 point something and then Plaquemines I will
14 believe somewhere around 4% or 5% or so, so it
15 would maintain the integrity of the district
16 where it stretches multiple parishes. It goes all
17 the way from Jefferson Parish to Orleans into
18 Uptown but then it crosses -- Plaquemines go all
19 the way down to the Gulf of Mexico. And this
20 amendment maintains the current integrity of all
21 the senate districts including District 7 and
22 partly and I can stress this enough, it make
23 certain that Senate District 5, Senator Peterson
24 your district remains the majority African-
25 American district especially given historic

1 nature where the first African-American woman
2 Diana Bajoie and that wasn't that long ago. The
3 senator before Senator Peterson was Cheryl Gray
4 Evans who resigned early, she left for family
5 reasons. And before her, it as Senator Diana
6 Bajoie. This preserves that minority district
7 here and the City of New Orleans District 5.
8 SEN. PETERSON: Are you familiar Senator
9 Carter with the population shifts in Jefferson
10 Parish specifically that the total population is
11 440,000 and the White population is 220,000?
12 SEN. CARTER: If you look at the numbers in
13 the demographics of it, there are approximately,
14 you're right, 440,000 or so people in Jefferson
15 Parish. There are approximately 380,000 or so
16 people in Orleans Parish. And you look at the
17 delta, you think of the analysis of it. That is
18 why there are seven senators from Jefferson
19 Parish and six senators from Orleans. Looking at
20 it going back to the very first thing that Mr.
21 President you said, we start off with the
22 constitutional principle One-Person One-Vote
23 making certain that there's equal representation
24 for all of our districts. And if you look at the
25 population difference, if you're comparing

1 Jefferson Parish to Orleans Parish and you say
2 well, Jefferson has 440,000 people or Jefferson
3 Parish have seven senators. Orleans has 380,000
4 or so people and it has therefore six senators.
5 [01:20:00]
6 SEN. PETERSON: I'm only asking you about
7 Jefferson Parish. Are you familiar with the
8 numbers that say the total population of
9 Jefferson is 440,000 and the White population in
10 Jefferson is 220,000, are you familiar with that?
11 SEN. CARTER: Yes. We've had these numbers.
12 We have the considerations. Those are the factors
13 that we all considered as we heard this on the
14 roadshow. We had committee meetings. We've had so
15 many community meetings about all of the factors
16 that are considered how to make sure we have
17 equal representation and strong minority
18 representation and these maps preserves not only
19 the integrity of all the senate districts, it
20 makes certain we have Senate District 5 remain a
21 majority-minority district and enhance it.
22 SEN. PETERSON: You are familiar with the
23 numbers because you've seen them so 440,000 in
24 Jefferson Parish is 220,000 White. Let me ask you
25 a very specific question. Do you think the

minority population in Jefferson Parish should have a majority-minority district?

SEN. CARTER: These are the factors that we consider while preparing the maps. In considering that factors, we also considered demographic shifts and we see this population return to Orleans Parish where we see 40,000 people moving into Orleans Parish, 30,0000 of whom are white. A look at the growth and looking at those factors that's why this amendment preserves the integrity of all those districts including making certain that Senate District 5 remains a majority-minority district and it preserves the integrity of the remaining senate districts from New Orleans, including Senate District 7, including Senate District 3, including Senate District 4 and it also makes certain that the other districts are maintained as well.

SEN. PETERSON: Again, do you support a minority district, a majority-minority district in Jefferson Parish based on the population shifts and that only 220,000 white people make up Jefferson Parish. Do you support a majority-minority district?

1 SEN. CARTER: The amendment that we have in
2 the maps reflect all those considerations. It's
3 not as if it is one factor over another. It's all
4 of these factors and it leads from the primary
5 factor making sure that every fair representation
6 One-Person One-Vote. Then follow the law and we
7 make certain that we maintain Senate District 5
8 as the majority-minority district. We've worked
9 really hard to consider all the factors and make
10 sure that we have a map that works. And I would
11 tell you, I currently represent 40% of my
12 district is Jefferson Parish. They're African-
13 Americans. They're White. They're Hispanics.
14 They're Asians. There are others. They're
15 Republicans. They're Democrats and fight for them
16 all. I've represented Jefferson Parish today. I
17 pray I could represent them tomorrow along with
18 Orleans Parish, Plaquemines Parish because it's
19 about the people that I represent.
20 SEN. PETERSON: Do you support a majority-
21 minority district in Jefferson Parish?
22 SEN. CARTER: I believe I've answered that
23 question to the best I can. There are a number of
24 different factors that weight into it and as you
25 consider all of the various factors that weigh

1 into it and you consider the law, you consider
2 the demographic shifts, you consider trying to
3 make certain we maintain your district seat,
4 Senate District 5 as a majority-minority
5 district, this is the map that we were able to do
6 and I don't believe and I heard Senator Cameron
7 Henry said earlier I don't think anyone's 100%
8 happy with any of these maps. These aren't
9 numbers on a page. These are people we represent.
10 We've met them. We've shaken their hands. We've
11 entered their homes. We fight for them so perhaps
12 we see it just a little differently. Following
13 the principles of following the law, following
14 the demographic shifts and also making certain we
15 preserve an African-American district for Senate
16 District 5.
17 SEN. PETERSON: I may try this again. Do you
18 support a majority-minority district in Jefferson
19 Parish? It's very simple.
20 SEN. CARTER: I believe I've answered the
21 question multiple times. If you want me to say
22 again what I just said, I certainly will. If you
23 look at --
24 SEN. PETERSON: It's yes or no.
25

SEN. CARTER: I answered the question as best I can.

SEN. PETERSON: If that's your best, okay. But I was just asking for a yes or no. Do you support a majority-minority district in a parish that has approximately half of the population?

[01:25:04]

SEN. CARTER: The maps have to take in considerations across the state. We have to look at the considerations across the city, the region, the Orleans, Jefferson area. So if you look at where's the growth in this area, where the demographic shifts, if we compare the census from 2010 to the census now, you see an influx of people into the Ninth Ward, into St. Bernard Parish, into the City of New Orleans, into Mid-City which is why our colleagues on the house side are debating where to put another house district inside of Orleans Parish. These aren't my specific preferences. This is how do we work looking at maintaining the integrity of all of our districts to say based upon the law, based upon the demographic shifts, based upon hearing from the public, based upon going to roadshows, based upon meeting with our colleagues and making

1 certain that their concerns are heard and worked
2 upon. The countless hours put into this and by
3 advocates and others. I don't think there's --
4 those are the factors that we've been relying
5 upon, not one, not this, but that holistic way of
6 how do we make certain we have followed the law.
7 How do we follow the population shifts and how do
8 we make certain that District 5 remains a
9 minority-majority district?
10 SEN. PETERSON: Do you believe that there is
11 cracking? Do you understand the principle of
12 cracking?
13 SEN. CARTER: Yes. I'm aware.
14 SEN. PETERSON: Do you believe there's
15 cracking going on as a principle in Jefferson
16 Parish in the way that you've drawn this
17 amendment?
18 SEN. CARTER: I really don't know how to
19 answer that question as much as what we were
20 trying to accomplish here is exactly what it is.
21 I've already laid out is that is we were trying
22 our best to one, follow the law, making certain
23 that we maintain Senate District 5 to be a
24 majority-minority district, that is caused the
25 lines to be drawn in order to make certain that

we're able to maintain Senate District 5 as a majority African-American district and that is a proud historic district prior to seeing Senator Peterson representing District 5. It was Cheryl Gray Evans. Prior to her, it was Senator Diana Bajoie. For those of you who are not in from the City of New Orleans or around the area, Senator Diana Bajoie, she's still active. She's still engaged. She's still here with us. It wasn't that long ago and so we're making certain with these lines and these proposed amendments that we maintain Senate District 5 as a majority-minority district.

SEN. PETERSON: I so appreciate you talking about my district and my predecessors because they are amazing women. But let's talk about Jefferson Parish District. The district you just ran in. Do you believe that the people of Jefferson Parish that you currently represent deserve a minority district? And do you believe that the way that the map has been drawn gives them a fair opportunity to elect a candidate of choice? I've heard from them but I'm just asking what you believe. Do you believe that there is

1 cracking going on in Jefferson Parish to dilute
2 the minority vote based on this plan?
3 SEN. CARTER: The first again I want to do -
4 - to my Jefferson Parish friends, my constituents
5 who I represent, I fight for you regardless if
6 you're from Jefferson Parish or Orleans Parish,
7 if you're Republican or Democrat or you're Black
8 and you're White. I have to feel I need to say
9 that again and again and again and that is true.
10 And those people in my district who know me know
11 that's true and know that I try to have like the
12 scripture says, no pride of person, but represent
13 the people that I can to the best of my
14 abilities. There wasn't any one factor over
15 another factor. We're helping draft these
16 amendments as much as making sure we maintain the
17 integrity of all the districts and making certain
18 that we maintain Senate District 5 as a majority-
19 minority district. If Senate District 5 is not
20 maintained as a majority-minority district, we
21 lose a lot.
22 SEN. PETERSON: Lets' go to the East Bank.
23 In your amendment, why did you choose the
24 precincts that you chose and if you could tell me
25 --

1 SEN. CARTER: I'm sorry. Say it again.
2 SEN. PETERSON: The East Bank precincts, why
3 did you choose those to put into the Senate
4 District 7?
5 SEN. CARTER: Well, this is the third or so
6 iteration of this particular design of districts
7 that we're moving into District 5. The first
8 iteration of it had the crossing point being
9 right at precinct 103 for those knows where that
10 is that is the Louisiana Jackson area, Jackson
11 Avenue, Tchoupitoulas and we went left along the
12 riverfront into the large container area.
13 [01:30:17]
14 It was my understanding you had an objection
15 to that. So there was a configuration that went
16 the other way that went closer to the Superdome
17 and it's my understanding you had an objection to
18 that as well. So what we have here is, again,
19 trying to make certain we're taking all comments,
20 all considerations, not one factor more than
21 another factor to come up with a map that makes
22 sense, not for my district, not for your
23 district, for all of our districts, for the
24 people of the State of Louisiana. So this current
25 version of it tries to avoid going into the Port.

It tries to avoid going into the Superdome. And it goes into the heart. So when you cross the Mississippi River bridge, you exit. You could go down Broad and it's right there. I believe we are both -- and we both know this. We're both from New Orleans. We were both born and raised in New Orleans. We went to the same law school. We both know these areas very well. I know I do as well. I was explaining exactly where it was on the map. I don't want to argue. I'm trying to answer your questions.

SEN. PETERSON: So do you think that this map is fair, the way that you presented the amendment, do you think it's fair to the people of Jefferson and the people of Orleans?

SEN. CARTER: I believe this map is fair. I believe this map follows the law. I think this map follows the demographic shifts. I think this map follows the principle that the President laid out. I think this map protects the integrity of all the senate districts. I think this map makes certain that we have Senate District 5, with its historic nature, has a strong African-American base. The voting age population of African-Americans in Senate District 5 is 54.5. The

registered African-American vote is 57.9. And it's significantly enhanced over the engrossed version of the bill that we all have pending before us. So do I think this map is fair? Yes. Do I think this map maintains the integrity of all the districts? Yes. Is this map perfect? Of course not. Nothing ever is, especially something as complicated as redistricting and giving all the various factors that we have to consider.

SEN. MIZELL: Mr. President to the floor on the amendment.

SEN. PETERSON: One more question, Senator Carter, the District 5, you talked a lot about District 5. I know you are. The question is you talked a lot about District 5 and preserving it as an African-American district based on the historic representation. So the primary factor was race.

SEN. CARTER: The primary factor was multiple considerations as I talked to you earlier. It starts off with the law as laid out by the President and as we have in federal jurisprudence and Voting Rights Acts that we maintain one equal representation, one person, one vote. Then we look at, on top of that, what

are the demographic shifts? Where do we see the population growing? And if we look at the population shifts, we see 40,000 people coming to the City of New Orleans. We see Dr. Bouie's district having to vacate the West Bank because he has so much growth in the 9th Ward and St. Bernard area. At the same time, we have your district maintaining it as an African-American district. There are so many different factors; there is the law, there is the demographics, there is the principles that the President laid out, and there is also working with colleagues, meeting with individuals, meeting with activists, going to community meetings, going to neighborhood meetings, all of those things were factors that we considered, not to determine numbers, but to determine how do we best represent the people of the State of Louisiana, all of our districts, whether they're black, they're white, they're rural, they're urban, it doesn't matter. We're in this together.

SEN. PETERSON: So you had to pull Black voters out of Jefferson in order to make District 5 Black.

SEN. CARTER: If I'm not mistaken, I believe the current version of Senate District 5 in order to maintain its historical African-American nature jettisons now into Jefferson Parish. So I believe this amendment merely keeps and maintains the integrity of all the senate districts, including Senate District 5.

[01:35:08]

SEN. PETERSON: Senator Carter, did you know that there are two precincts from Jefferson Parish and Senate District 5 now that are wholly encompassed on the East Bank, but in the version of the amendment that you have, it takes Black voters out of West Bank of Jefferson and puts them in a historic East Bank District in order to make that district Black?

SEN. CARTER: Well, that is what we were talking about. And you have the population shift with Senator Joe Bouie's district going into the 9th Ward in St. Bernard, that population gain has caused him to vacate the West Bank. And your district is shorted up with those voters to make certain that it remains a majority-minority district.

1 SEN. PETERSON: So you shored up my District
2 5, East Bank District with Black voters on the
3 West Bank by pulling Black voters on the West
4 Bank, you shored it up?
5 SEN. CARTER: I am not sure I would classify
6 it the way that you did. The way I would say it
7 is how I classified it previously with multiple
8 factors being considered. First and foremost, the
9 law, the constitutional principles that we have.
10 In addition to that, the demographic shifts that
11 are real, that we see in numbers that are
12 documented in the census on top of the principles
13 that we all have to abide by. That's what this
14 is. This map, no one is pretending that it's
15 perfect. No one is not pretending that it doesn't
16 cause consternation, but what it shows is working
17 with all the factors that we have and maintaining
18 the integrity of all of our districts.
19 SEN. PETERSON: American voters and don't
20 give them the opportunity to elect from Jefferson
21 Parish and don't give them the opportunity to
22 elect the candidate of choice for merely the
23 purposes of making another district of your
24 choosing a certain VIP?
25

1 SEN. CARTER: Again, that's your
2 classification of it. And if I am not mistaken, I
3 understand, I am trying to answer your question,
4 senator. It is my understanding the current
5 version of Senate District 5 does exactly what it
6 is that you're saying that this one does and so I
7 am not sure where you're going with this, but
8 I've answered the question, I believe, multiple
9 times.
10 SEN. MIZELL: Mr. President to the floor on
11 the amendment.
12 PRES. CORTEZ: Okay, members, I'd like to at
13 least give you sort of a backdrop of how we got
14 here to this amendment. As you all know, when I
15 drew up the map, I met with each of you
16 individually, took what you wanted from your
17 district and your core principles, and then from
18 there we went to delegations and we met so that
19 if there were some precincts of overage or under,
20 we could move some precincts around collectively.
21 We did that, we went throughout the state doing
22 that. In the Orleans delegation we met and we
23 said we are going to finalize the map. Well, when
24 we got there, Senator Harris had been working on
25 a map for that area for over a year. His map and

my map did not look anything alike. Senator Harris was over by 12,727 people. Senator Bouie was over by 6,785 people. So collectively those two were over by almost 20,000 people. Senator Harris chose to give to Senator Bouie some of his precincts. At which time Senator Bouie said using the principle of compactness, I have this long string on the West Bank that I would like to get out of and be only on the East Bank. They all agreed to that. At that time there were West Bank residents that had to fall into one of two districts. They had to fall into Gary Carter's or Pat Connick's. Senator Peterson had a problem that the other principle was we wanted to maintain the status quo of the majority-minority districts. Through gentrification, her district had had an influx of White people move into her district. Senator Carter is right. In order for her to maintain her majority-minority status, they had to bring her over to Jefferson Parish. They did that. The original bill that went to committee was that bill that was agreed upon by everyone. Senator Hewitt was in the meeting, I was in the meeting. Senator Peterson was not in

the meeting. She was traveling. She couldn't make the meeting.

[01:39:56]

She got back, she looked at the map and she said, I don't like the map, but the original map had Senator Carter taking the Port of New Orleans, the Convention Center, and I don't know if the Superdome was in there or not, but it was a number of major assets that had been in her district for literally the last two decades, I am sure, at least. So she said, I can't allow that and so we had another meeting where she participated with all of the members that I just named. At that time there was no consensus whatsoever and so the global amendment that was adopted that you are debating a change to right now took some of the West Bank out of Senator Peterson's district and placed it into Senator Carter's district and so then -- and one of his wants at the very beginning was for his district he said, as far back as I can go it's always been an Orleans District. Senator Harris said the same thing, he said, Orleans does not want to seed a district and this is about parishes. But as Senator Henry said earlier, we don't move parish

1 lines in redistricting. It's about people. So
2 Senator Carter took the weekend off and called me
3 and said, I want to bring a Floor Amendment. I am
4 going to try to come up with an amendment whereby
5 I can pick up Orleans Parish and help increase
6 the majority-minority population in all of the
7 districts so that they could be competitive to
8 elect the minority of their choosing. So that was
9 his leaving the capitol and saying, I am going to
10 work on it all weekend. So I have not seen his
11 amendment until today. I know he was working on
12 it in concept on a particular. I had adopted into
13 the Global Amendment Senator Peterson's
14 suggestion because of the Convention Center and
15 the Port being in Senator Carter. So we pulled
16 that out. So what I had chosen to do in the
17 Global Amendments was adopt Senator Peterson's
18 request into the Orleans-Jefferson delegation.
19 That caused Senator Henry to pick up some
20 precincts in addition in Orleans that he didn't
21 particularly want. He had happened not to be in
22 that meeting. So again, I said earlier, it's a
23 little bit like herding cats, but at this point
24 we have an amendment in front of us. I know that
25 Senator Peterson and Senator Connick on the

1 floor, but I thought it would be important for
2 you to know that at the end of the day Senator
3 Carter had two options -- well, he had three
4 options. He could go into Senator Bouie's
5 district to pick up Orleans Parish and put
6 Senator Bouie back on the West Bank. That was one
7 option. He could cut through St. Bernard to get
8 to Senator Harris's district in New Orleans East,
9 to which St. Bernard had already said they didn't
10 want two senators, they surely didn't want three
11 senators representing them. That was going to be
12 problematic for Senator Hewitt who represents St.
13 Bernard. The third option was to go into Senator
14 Peterson's district and there were a couple of
15 trial maps brought up that brought him into the
16 Garden District to cross there and Senator
17 Peterson objected to that. So this is his attempt
18 to appease everybody in the Orleans-Jefferson
19 Delegation. Now, I am going to tell you, that is
20 not possible based on my experience. You're not
21 going to appease everyone in the Orleans-
22 Jefferson Delegation. But that was his attempt
23 and I hope I've given you some background and I
24 know that other members of the delegation have
25 some comments on this. If there's any questions

for me, I'd take them. But I think I've tried to give you a background of how we got here. Thank you.

SEN. MIZELL: Senator Connick to the floor on the amendment.

SEN. CONNICK: Members, I am against this amendment for many reasons and I am with Senator Peterson and her reasons. Why? On the West Bank we have an increased minority population that deserves to have one district. That can happen. With this amendment that does not happen. If you look at the proposed amendment, it carves up Jefferson Parish minority population, the Woodmere area, the Lincolnshire area, sends it across the river into Uptown. So there is no compactness here whatsoever. You've got another segment that goes out to Metairie. And it's all to be able to keep District 7 a majority African-American District based in Orleans Parish.

[01:44:58]

That's not how the population is. The population is based in Jefferson Parish. This is not a compact district and it's not a community of interest either. What interests do Uptown New Orleans individuals have with those in Woodmere?

Or what interest do the Uptown New Orleans folks have with the folks in Lincolnshire? None. None whatsoever. The uniqueness is on the West Bank. What's best for the West Bank in this amendment, if passed, will hurt that community of interest, will hurt that compactness, will hurt the area. It will hurt Jefferson Parish, who has a majority African-American population, that they should have a district. The way that the map is now, what the President has set up has that majority-minority interest on the West Bank. Granted it's not in Orleans Parish, it's in Jefferson Parish, but it's winnable by an Orleans Parish senator who works, and it has been won in the past by an Orleans Parish senator. So that's why I am opposed to this amendment. Thank you.

SEN. MIZELL: Senator Peterson to the floor on the amendment.

SEN. PETERSON: Thank you Madame Pro Tem. So I oppose the amendment. I stand in opposition to the amendment. I certainly agree wholeheartedly with Senator Connick. I guess I should have been asking him questions because it would have been a lot easier. He did that in like two minutes, in 120 seconds, said what the population shift say

1 and what the law says is that there should be a
2 majority-minority district in Jefferson Parish,
3 and guess what, right now, if you don't pass this
4 amendment, that's what you get. You actually have
5 it. Is it ideal? Is everybody happy? No. And by
6 the way, people will say, oh, Karen didn't want
7 this, the Superdome and Karen wanted the
8 Superdome, wanted to keep it. Karen didn't want
9 to keep anything. Karen doesn't own anything.
10 It's not Karen's district. Karen is not running
11 again, it's not Karen's district. I am not mad
12 and I am certainly not crying. I am being very
13 direct and I am advocating for the people of the
14 City of New Orleans and it seems like I am
15 advocating also for the people in Jefferson
16 Parish who have gone underrepresented for a long
17 time. And so with that, I just have some comments
18 for the record, again, there was population
19 growth across New Orleans Metro area since 2010,
20 including Jefferson Parish. It added 8,229
21 people. The growth came with significantly more
22 racial diversity. Minority voters deserve a
23 senate map that reflects that. Over the last 10
24 years the minority share of the Jefferson Parish
25 population grew by about 13 percentage points.

1 Black population grew by 7.9, growing from 27% to
2 28.6% of the parish right now. The Hispanic
3 Latino population grew by 47.2, growing from 12.4
4 to 17.9%. Compared with 2010, there are now
5 51,180 fewer White residents in Jefferson, making
6 it now just 50.1% White and 49.9% minority. And
7 right now there are no minority districts. There
8 are only five parishes that saw their White
9 populations decline more sharply than that of
10 Jefferson Parish. It's Cameron, Tensas, Red
11 River, Madison and St. John. One of the most
12 important considerations when we redraw these
13 districts every 10 years is to account for the
14 changes in our state's demographics and racial
15 diversity. In fact, the Voting Rights Act
16 requires us to draw new minority districts when
17 population changes make it possible. That's why
18 we're moving district from North Louisiana to the
19 Northshore. This ensures that political
20 preferences to preserve the status quo won't
21 limit the voting power of growing minority
22 communities over the years. If we just keep
23 maintaining the status quo, that doesn't permit
24 for more opportunity when the population is
25 obviously shifting. This amendment further packs

1 Black residents into Senate District 5, mine,
2 that everybody wants to come and make a civil
3 rights speech about and talk about the history of
4 Senate District 5, and unnecessarily gerrymanders
5 Jefferson Parish.
6 [01:49:51]
7 So don't come on this high and mighty civil
8 rights discussion about how you want to come
9 across the river and protect Senate District 5.
10 How about you take care of your own house, Senate
11 District 7 and represent the Black people on the
12 West Bank of Jefferson? Start there and then come
13 across and worry about me, because I don't have a
14 problem representing white, purple, orange, or
15 green. I've been elected twice in a majority
16 White district for the last two terms. It's not a
17 problem. I go talk to voters. Even though I am
18 imperfect and I've made mistakes, I go tell them
19 my story and how hard I fight for them, and they
20 vote for me. I am not scared of getting new
21 people in my district. I am not scared of taking
22 precincts out for other members to avoid people
23 running against them. I am not scared. Black
24 voters in Jefferson Parish deserve fair
25 representation and we have all seen maps and

1 proposals that make it possible. Drawing a
2 majority Black district fully within Jefferson
3 Parish is possible, while still ensuring that
4 Senate District 5 remains Black. Maintaining four
5 Black senators for Orleans is still possible too,
6 it just takes reconfiguration. But let me tell
7 you something, President, please try real hard,
8 I've had many conversations with him,
9 Consistently in the meetings I've said, Mr.
10 President, no dog in this hunt, I really just
11 want to make sure people are treated fairly. Mr.
12 President, my district is not Black. I know what
13 you are trying to do. We can create a Black
14 district somewhere else and let the progression
15 of the population, how it's changed, just go. A
16 third of the people -- half of the people in
17 Jefferson are minority, a third of the people in
18 New Orleans are White, but these districts don't
19 reflect that right now. And certainly this
20 amendment worsens it. Please vote down the
21 amendment. Please join me and Senator Connick in
22 opposition. Thank you very much.
23 SEN. MIZELL: Senator Carter to close.
24 SEN. CARTER: Thank you. Members, here's
25 what this amendment, not only does it preserve

1 Senator Karen's district as a majority-minority
2 district, it also makes sure my district,
3 District 7, is based in Orleans Parish, which is
4 consistent with the demographic shift that we see
5 with 40,000 people coming back to the City of New
6 Orleans for various reasons, some for Katrina,
7 some for opportunities, some to live in our
8 wonderful city, our wonderful area. Senator
9 Peterson, you said something earlier. You said
10 you're term-limited, that you're going to be fine
11 either way, that you're going to sleep -- you
12 sleep well every night. Well, I could tell you,
13 this has caused us lots of restlessness, because
14 it's not numbers on a page, this isn't lines;
15 these are people that we represent, that we care
16 about, we love, we fight for, regardless if
17 they're Black, regardless if they're White,
18 regardless if they're urban, Democrat. If they're
19 Orleans, Jefferson, it doesn't matter. And when
20 we're affecting them, we should care. It should
21 cause us concern. It should cause us sleepless
22 nights, because we fight for these people. That's
23 why we signed off for this. This is important.
24 And this map reflects the law. Maintaining an
25 African-American district and maintaining the

integrity of all the other districts as it relates to the population growth that we see in a census, that's what this is. And for that, I ask for your favorable passage.

SEN. MIZELL: Members, Senator Carter has offered an amendment to which we've heard objections. When the machine is open, vote yay if you support it, vote nay if you oppose it. Secretary, please open the machines. Please vote. Are you through voting? Close the machines. Yays, 11. Nays, 27. The amendment failed.

SEC. DIXON: Next set of amendments are by Senator Allain. They are set number 104. 104.

SEN. ALLAIN: This was a simple swap between myself and Freddy and the two districts between 21 and 22 that was -- Freddy brought to my attention a constituency in the Loreauville area that really wanted to remain in his district the only way -- in full disclosure, the only way it would fit in his district is if we split another district that I took. It was one that I had represented before that the parish had put back together. There is talk about them re-splitting it, but the map I just looked at that the Parish

1 government is going to consider tomorrow will not
2 do that.
3 [01:55:07]
4 That's what it does. In full disclosure,
5 it's the only precinct that would be split if we
6 did this. I know that the President has
7 discouraged that before, but I'll give that --
8 I'll let him comment on that.
9 SEN. MIZELL: President Cortez.
10 PRES. CORTEZ: Thank you Madam President Pro
11 Tem. One of the rules that we established in the
12 joint governmental affairs was that, as best as
13 practicable not to split precincts. The first
14 split precinct on the senate side you heard
15 earlier was a split of precinct dealing with the
16 airport that had no population in it. That was
17 the reason. So I did not object to that one
18 simply because it didn't affect people. But the
19 parishes are the ones who created these large
20 precincts. Has it made it difficult on
21 demographers? Yes. But I think to break the rule,
22 then all of a sudden we're going to start
23 splitting precincts all over the place. So for
24 that reason I think that we -- I am going to have
25 to object to the adoption of this amendment and

be consistent with the principles and the rules we laid out.

SEN. MIZELL: You want to close on your amendment Senator Allain?

SEN. ALLAIN: Yes. With the President's objection, I am not going to make everybody vote on this, I respect his opinion and him adhered to the principles, so I am going to withdraw the amendment.

SEN. MIZELL: That amendment is withdrawn.

SEC. DIXON: Members have no further amendments.

SEN. MIZELL: President Cortez to close.

PRES. CORTEZ: Okay. Members, as I mentioned earlier, first of all, this was a long process, but it was an interesting process and I got to learn a lot about the state. The principles we set down, I do believe that this map adheres to federal law, the Voting Rights Act. I think it ensures a number of things. One, that we adhere to the one person, one vote doctrine, that we provide the current majority-minority districts that they will have an equal opportunity for the minority population community to elect its candidate of choice. I do believe that we have

1 achieved that goal and that principle. As best
2 possible we maintained a continuity of
3 representation. We applied compactness to where
4 we could. We maintained communities of interest
5 and we preserved the course of the existing
6 districts. So while we did have some major shifts
7 in population and we did have to migrate a senate
8 district from Northwest Louisiana to the
9 Northshore, I am sure that certainly not
10 everybody in here would have liked that to have
11 happened; if the population would have stayed
12 static, it wouldn't have happened, but it did.
13 And so with that, I do believe we have followed
14 all of those principles. I know we adopted some
15 amendments earlier, and in following the same
16 tradition we did in the committee, at this time I
17 am going to return the bill to the calendar for
18 anybody to get the new map and be able to look
19 over it, the members and the community to be as
20 transparent as possible so that when we come back
21 tomorrow, we will take it up on final passage in
22 hopes that we can send the bill exactly as we
23 want it to be sent to the house so that we will
24 have assurance that we will -- it will be exactly
25

as we wanted it. So with that, I return it to the calendar.

SEC. DIXON: The bill is returned to the calendar. The next bill is Senate Bill 5 by Senator Hewitt. It's an act to amend Title 18 relative to congressional districts to provide for the redistricting of Louisiana's congressional districts.

SEN. MIZELL: Senator Hewitt.

[01:59:50]

SEN. HEWITT: All right. Thank you, Mr. President. Members, I present to you today Senate Bill 5, which is a map to redraw the congressional districts. So, I'd like to begin by talking through again what the redistricting principles were that we used in drawing in this map. The first thing is we want to make sure that we comply with the Voting Rights Act and other federal and state laws. And just to be clear and on the record, I support the Voting Rights Act and the importance of having minorities represented at all levels of government. You know, one thing that we heard from members of the public, and sometimes in the media on the roadshow, is the discussion about a third of our

population and our state is Black and, therefore, we should have two out of six congressional districts represented by a minority. What often gets left out of that conversation is a specific statement in Section B of the Voting Rights Act that says, "Provided that nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion of the population," so what that means is basically Federal Law does not say that you are - you have a right to representation in proportion to your population. And so, the one-third thing doesn't apply. So, what does apply is that you'll want to make sure that if you have a minority population, it is sufficient in number, and is geographically compact, where you can draw a district that will allow them to have an opportunity, an equal opportunity, to elect a candidate of their choice, that you must do so, and we believe that we have done that with this map. The second principle was we had to configure the districts so that they would be as nearly equal to the ideal district population as practicable. So, the standard for equal population is different for the congressional

1 maps than all of the other maps, and the courts
2 have defined that as meaning as close to zero
3 deviation as possible. So, the ideal population
4 in the congressional districts is 776,292. In
5 this map, the absolute deviation ranges from
6 minus 92 - this is how far a district is from the
7 perfect number. This is Congressional District 4,
8 minus 92, to plus 36 in Congressional District 2.
9 Another principle, "Respect the established
10 boundaries of political subdivisions and the
11 natural geography of the state, and contain whole
12 precincts to the extent practicable." We've done
13 that in this map. We keep 49 of 64 parishes
14 whole, which is more than the current map, and we
15 minimize the split precincts, and they are
16 actually zero. The next principle, preserve the
17 core of the prior districts to ensure continuity
18 of representation. You know, we heard many times
19 on the road show, and the president spoke to this
20 a little bit earlier on his bill, we heard on the
21 road show, "Elected officials should not choose
22 their voters. Voters should choose their elected
23 officials." And I will submit to you again that
24 our respective voters in this state know that
25 they are in the best position to vote an elected

1 official, in or out of office, depending on their
2 performance. We don't want to take the voters'
3 ability to do that by completely reconfiguring
4 the districts. And then last but very important,
5 we preserve the communities of interest in this
6 map. We ensure that Louisiana's agriculture
7 heritage continues to be presented, by
8 maintaining a primarily rural and agricultural
9 based district.
10 We preserve the connectivity of Louisiana's
11 Acadiana region. Louisiana's major cities and
12 their surround communities are preserved and
13 connected to the maximum extent possible. We
14 ensure that Louisiana's major military
15 installations remain strong in connection with
16 their surrounding communities of support, which
17 is very important when you're looking at BRAC
18 implications. This maintains the connection with
19 the communities of interest of Baton Rouge and
20 surrounding communities. It maintains the
21 connection within the communities of interests of
22 the New Orleans region and its surrounding
23 communities. It maintains the connection with the
24 communities of interest of the Shreveport region
25

and its surrounding communities, and the same for Alexandria and Monroe.

[02:04:53]

So, you're very familiar with the map of Louisiana that shows the loss of population in the Northern part of the state and the growth in population in the Southern part of the state. So, here was the problem that we had to solve for. In Congressional District 4, which is in the Northwest part of the state, that district was underpopulated by 47,946 people. So, what did we do to address that? We shifted the district east and picked up the rest of St. Landry so that it's no longer divided between three congressional districts, and then we finally put Opelousas and Eunice back in the same district. We picked up part of Rapides from Central Congressional District 5 and picked up a few precincts around DeQuincy and Calcasieu, and Jeff Davis to the South from Congressional District 3 to balance the numbers. District 5 in the Northeastern part of the state was underpopulated by 37,048 people. How did we solve that problem? We added Pointe Coupee, East Feliciana, and St. Helena from Congressional District 6, and we added some of

Tangipahoa from Congressional District 1. District 3 which is over by 9,532, in that district, we got out of St. Landry, which was around 3,400 people to reunite it, and gave up a few precincts in Calcasieu, the 5,000 or so in the DeQuincy area I spoke of before, because its community and culture is very similar to that of Beauregard Parish. We reunited the City of Elton, which is currently divided, by moving this to Congressional District 4. In District 1, which was overpopulated by 36,293, we gave up more of Tangipahoa to Congressional District 5, and swapped a few precincts in Terrebonne with Congressional District 6. In District 6, which was overpopulated by 40,174, we gave the rest of East Feliciana and St. Helena to District 5. We gave all of Pointe Coupee to District 5, cleaned up precincts along the river with District 2 and Ascension East Baton Rouge, Iberville, St. Charles, St. John of West Baton Rouge, and swapped a few precincts in Terrebonne with District 1. And finally, District 2, District 2 was only underpopulated by 1,000 people. That district was as close to perfect as it could be. So, those were easy population shifts to address

by really cleaning up precincts as I mentioned earlier along the river with District 6, and most importantly, this is a majority-minority district that we know was in compliance with the Voting Rights Act, and is performing as a majority-minority district. And so, that's kind of the big picture on the map, how it changed, and the reasons, the principles that we used for doing that, and so with that, Mr. President, I'll open it up to questions.

PRES. CORTEZ: Well, we don't have any questions. You must have done a very good job, Senator Hewitt.

SEN. HEWITT: All right.

PRES. CORTEZ: But we may have some amendments.

SEC DIXON: Amendments by Senator Fields. They are set number 91. Set number 91.

PRES. CORTEZ: Senator Fields on your amendment.

[02:10:00]

[OVERLAY]

SEN. FIELDS: Thank you, Mr. President, members of the Senate. The fight for civil rights is personal to me. It didn't start with me as a

1 member of the Senate, nor did it start for me as
2 a member of Congress. It started on the sofa of
3 my grandmother's and grandfather's house, a
4 little shotgun house in West Baton Rouge Parish
5 on Tombstone Road. I remembered vividly the
6 stories of my grandparents who would share with
7 me about how difficult it was for them as Blacks
8 to vote and under obstacles and barriers they had
9 when they tried to actually vote, how folks were
10 beaten and many times intimidated when the other
11 thought of voting for a candidate of their
12 choice. I remember the days like it was
13 yesterday. I started my quest to get African-
14 Americans to register the vote as a young man,
15 when I was called as a freshman student at
16 Southern University by Mr. Ben Jeffers, who was
17 called by the NAACP and the Louisiana Legislative
18 Black Caucus to lead a march with A.Z. Young, a
19 civil rights leader, and at that time, Ms. Rupert
20 Richardson. A voter registration marched from
21 Shreveport to Baton Rouge. The aim was to
22 register some 3,000 unregistered but eligible
23 voters. I joined the effort, having only met a
24 couple of members of the Louisiana Legislative
25 Black Caucus, because their mission was a perfect

1 mission. I joined the effort as a young student
2 at Southern University, to march [PH 02:12:52]
3 216 miles on Highway 1. It was there that I had a
4 chance for the first time in my life to meet
5 Senator Greg Tarver, who hosted us in Shreveport,
6 Louisiana. We marched 16 days on Highway 1. Those
7 16 days, often I reflected those days I sat with
8 my grandparents. If I may first fast-forward for
9 some 30 years ago, I sat where you are sitting
10 today, now where you're debating today, where we
11 sent the second African-American to Congress, and
12 this body 30 years ago said yes, not once, but
13 twice, and the people of the 4th Congressional
14 District elected me not once, but twice, once
15 from a district that ran from Baton Rouge to
16 Shreveport, and then from a district that ran
17 from Baton Rouge to Monroe, that was nearly 55%
18 black, and became the most diverse district in
19 the State of Louisiana. So, when one asks the
20 question, "Can a Black man win a 55 or 54 percent
21 black district," I say yes, and I offer myself as
22 best evidence because I did. Now, just for the
23 record, I have no interest to run for Congress.
24 I'm 59 years old and, as my son would say, been
25 there done that.

[02:14:49]

But as I stated in Committee, and I say to you today, I recall my first days in the U.S. Congress as a freshman member at orientation. When Speaker Foley said to us as freshman members, he said, "Listen, members, you are a part of the most distinguished body of the land, the U.S. House. It is better to be a member of the House than it is to be a member of the Senate," and he said to us, "You can be appointed to the Senate, but you can't be appointed to the House. No governor can appoint you. No committee can anoint you." He said, "You can only get to the House by the ballot," and he stood up and he said, "This is the people's house. You come here by one way, and that's through an election." From that day - from that day, I left Congress and I started to think, and I started to research. For those of you who don't know, from the day I left the Senate, my district was challenged, to the day I returned to Louisiana, and I quest for knowledge. I went to the Library of Congress and I researched, and I tried to learn as much as I could about the Louisiana delegation, and I stumbled upon the 40th Congress, and it was there

that I learned that the first Black man ever elected to the U.S. Congress was from the State of Louisiana. John Willis Menard was elected by the people of Louisiana on November the 3rd in 1868, from the 2nd Congressional District based in New Orleans, he won by 64% of the vote. He was challenged by his opponent, Caleb Hunt. He was allowed to address the House of Representatives on February the 27th, 1869, and Mr. Menard stood in the wells of the Senate - I mean of the House, and he said, "Mr. Speaker, I wish it to be well-understood before I go further in this deposition of this case, I do not expect nor do I ask that there shall be any favors shown to me on the count of my race or the former condition of that race." His opponent, Mr. Hunt, never made a request to speak, nor did he speak. After Mr. Menard finished to speak, a gentleman from Ohio stood and he made a motion not to seat the gentleman from Louisiana and he said, and I quote, "It was too early to admit a Negro to congress, and the seat should remain vacant, and the salary of $5,000 be saved." Now, the House voted that day by a vote of 130 to 57, and Mr. Menard never was seated in the U.S. Congress. The

gentleman from Ohio who made the motion was named James A. Garfield, who in 1881 became the 20th president of the United States of America. The second Black man elected to Congress from Louisiana was Charles Edmund Nash. Mr. Nash was elected to the 44th Congress in 1874 with a district based in Baton Rouge and ran into Opelousas. After Mr. Nash, Louisiana went 114 years without a single African-American representing the state, although the state had a sizeable African-American population. And then, in 1991, Congressman William Jefferson was elected from the 2nd Congressional District, then in 1992, I was elected to the 103rd Congress.

[02:19:50]

In 2011, Congressman Cedric Richmond was elected to serve in the 112th Congress, and in 2021, Congressman Troy Carter was elected to the 117th Congress. Of the 171 people seated in the U.S. Congress from Louisiana, only five were Black. If you include the members of the U.S. Senate, which is 55 since Louisiana's inception to the Union, that would be 226 people Louisiana has sent to the U.S. House and senate of which only five have been Black. In short, Mr.

President and members of the Senate, Louisiana has elected more White congressmen in one year than it has elected Black congressmen in a lifetime. So, I present to you today an amendment to Senate Bill 5 that will add a second minority district to comply with Subsection 2 of the Voting Rights Act, and not dilute minority voting [PH 02:21:10] shrink by packing the State's second largest voting populations into one minority district. Instead, this amendment will maintain the 2nd District as a minority district but create a second minority district in the 5th District. It is very compact. It is more compact than the present congressional districts. It is more compact [PH 02:21:44] than Senate Bill 5, and what I have illustrated to you today are all three proposals. To my right is the present congressional district and to my left is Senate Bill 5, and to my far left is my amendment that I propose to you today. Now, let me just get into the amendment. The chairman of the committee who has worked very tirelessly, and I want to thank her for her hard work, she had traveled all over the state along with our committee. They have worked very hard and I want to thank them for it.

In the chairwoman's bill, her deviation, or highest deviation, is 128 people. When you do congressional maps, you have to be as close to zero as possible. I beat 128. My highest deviation is 44 people. 44. In District 1, the idea - first of all, the ideal deviation, the ideal population rather is 776,292, in each congressional district. In District 1, my population under this amendment is 776,266 - I'm sorry 88. I have to put my glasses on. That's minus four people from the ideal population. In District 2, the actual population is 776,324. That's 32 people more than the perfect population. In District 3, it's 776,280 people. That's a negative 12 people from the ideal population. In District 4, I have 776,280 people, that's a negative 12 people from the perfect population. In District 5, I have [PH 02:24:22] 776,229 people. That's a zero deviation from the perfect deviation, and in District 6, I have 776,293 people, just one person from the perfect deviation. So, that's where the deviation numbers lie.

[02:24:51]

1 In terms of total population, in District 1,
2 the racial breakdown in District 1, they're 64.3%
3 White and 20.1% Black. In District 2, there's
4 33.56% White and 54.49% Black. In District 3,
5 it's 72.18% White and 19.41% Black. In District
6 4, it's 58.66% White and 33.74% Black. In
7 District 5, it's 40.67% White and 54.03% Black.
8 In District 6, it's 72.9% White and 16.93% Black.
9 So, in these six districts, we create two
10 majority-minority districts, and if you look to
11 my left, you'll see they're very compact. No
12 effort was made to create a second minority
13 district. The plan to my left is more compact
14 that the present plan that you have, that members
15 of Congress is running under, that ran under this
16 day. The plan to my left, which is Senate Bill 5,
17 is more compact than that plan. Going to split
18 parishes, which is another factor that you would
19 have to look at to look at the compactness of a
20 plan, in District 1, there's 6 split precincts, 5
21 whole - not precincts. Parishes. There're 6 split
22 parishes and 5 whole parishes. In District 2,
23 there are 5 split parishes and 4 whole parishes.
24 In District 3, there're 6 split parishes and 6
25 whole parishes. In District 3, there are 2 split

parishes and 16 whole parishes. In District 4, there are 8 split parishes and 16 whole parishes. District 5, there are 8 split and 16 whole, and District 6, and there are 4 split parishes and 2 whole parishes. So, if you wish to create a majority-minority district, you can, and I just wanted to bring this to the body. I've had - and I want to thank Senator Hewitt because she's been very tolerant with me. I've had several plans before the body and the Committee and I want to thank the entire Committee. You just have to have the will. This plan that I have created is not my first one, is not my second one, it's not my third one. It's probably my fifth one, but it is the absolute, most compact. It is the absolute, more precise plan that has ever been produced in this entire body, and I don't like to meddle into the other body's business called the House of Representatives but, Mr. President, if I may just for a second.

PRES. CORTEZ: Certainly.

SEN. FIELDS: Because I'd like to—

PRES. CORTEZ: Other members who want to meddle in their business, come on up.

SEN. FIELDS: I have had, to the chairperson's credit, I've had the benefit to look at everybody's plan, including the other body. This plan that I present to you today is more compact, more precise than the speaker's plan. I do not know what you're going to do with this amendment. I hope that you vote for it. It complies with the Voting Rights Act. There's just no good reason to not send an African-American, the sixth African-American, to the United States Congress. Louisiana's minority population is 33% Black. I'm just giving this to you to show you, you can do it. I'm showing you that the Voting Rights Act demands it, and it's compact, it's precise, and it complies with the law. I thank the president for his time and I ask that you adopt the amendment.

[02:30:15]

PRES. CORTEZ: Okay, Senator Fields, there are no questions. Senator Fields has offered up an amendment to Senate Bill 5. Is there any objection to it? Senator Hewitt, come on down and state your objection.

[OVERLAY]

SEN. HEWITT: Thank you, Mr. President, and thank you Senator Fields for all of your hard work this week. He has worked very hard in presenting a number of bills, both on the congressional side as well as others, and I think has provided some very moving testimony, and clearly speaks to the issue of how we need to move our state and our country forward in having more minority presentation, and I do acknowledge that, and I do value that. The things that I see different in this map and the map amendment that Senator Fields has proposed, and the map that I have presented, this is very similar to Senate Bill 2 with a few tweaks which the committee did already consider and did hear. Senator talks about the deviation from zero, you know what the courts have ruled in the past and when we were working under preclearance ten years ago, was to anything less than a hundred was kind of the objective, and so Senate Bill 5 definitely meets that. It ranges from minus 92 to 36. The amendment from minus 12 to 32, although it is better, I don't know that it is significant in terms of the law. There are more split parishes in this amended version. There's definitely

1 disruption of communities of interest in this
2 amended version, and in addition, I am concerned
3 about taking a currently performing majority-
4 minority district that's performing at around 58%
5 Black voting age population, taking some of the
6 Black voters out of that district to create a
7 second district where you end up with two
8 districts that are 51% or 52% Black voting age
9 population. So, there's no evidence that we have
10 seen yet, and considerable uncertainty as to
11 whether both of those districts would perform as
12 minority districts. And so, you could very
13 likely, in an attempt to create a second
14 district, you could put the current minority
15 district in jeopardy, and end up with no minority
16 representation, whatsoever. And so, I think again
17 the law provides some guidance on that issue and
18 where there is too much uncertainty about whether
19 a second majority-minority district would perform
20 sufficiently, the difference to the courts have
21 been to the map drawer, and so that's why, you
22 know, I have chosen in my bill to not have a
23 second minority district, to only have one, but
24 to know that that district is going to continue
25 to perform, to give the minorities an opportunity

to elect the candidate of their choice. And so, for those reasons, I object to this amendment, and what I ask you all, to support the bill.

PRES. CORTEZ: Senator Hewitt – Senator Luneau, is your question for Senator Hewitt or for Senator – okay. Would you take a question from Senator Luneau?

SEN. HEWITT: Yes, sir. If you can figure out a place to stand, [PH 02:34:14] Jay.

SEN. LUNEAU: Thank you, Mr. President. Senator Hewitt, a couple of questions about this. When you were considering the population shifts that Louisiana has had in this last census, did you all try to draw in a majority-minority district?

SEN. HEWITT: Yeah, I've certainly looked at that, yeah, and I cannot draw a district that would get us to what I believe is a high enough Black voting age population to make it performing.

SEN. LUNEAU: Okay. I wasn't in your committee this morning but it's my understanding that you presented a map that had a majority majority-minority district with 51% representation. Is that correct?

[02:34:57]

SEN. HEWITT: I did for the Supreme Court but admitted very quickly that that was not my intent. And I've worked with Senator Price since then and we have an amendment that we're going to propose tomorrow that's going to take it back up to 55%.

SEN. LUNEAU: Okay. Also, I read an article in one of the papers today that the committee had hired a lawyer to advise on these issues. Did that lawyer give any advice about whether or not a majority-minority district could have been drawn up?

SEN. HEWITT: Well, the committee hasn't hired a lawyer, so I'm not quite sure what you're reading or whether a committee does not have a lawyer.

SEN. LUNEAU: Thank you.

SEN. HEWITT: I see another question, Mr. President?

PRES. CORTEZ: Yes. Senator Peterson for a question on the amendment.

SEN. PETERSON: Thank you, Mr. President. Senator Hewitt, thank you for all the work that you've done. You did mention just now with

Senator Luneau that you tried to draw a second majority-minority district. Where did you try to draw it?

SEN. HEWITT: I think we looked at a number of different options. Again, there's many things that you're trying to balance. You're trying to balance all the communities of interests and all the other things that we're talking about, but again, you have to be able to draw in my opinion two minority districts that would perform, and that's my objective, not to just draw two minority districts on paper but to draw two that would perform.

SEN. PETERSON: Where did you try to do it?

SEN. HEWITT: There were a number of options, okay, that our map drawer looked at. I wasn't personally drawing the maps, but I had a map drawer that was doing that.

SEN. PETERSON: Who was the map drawer?

SEN. HEWITT: Well, we have staff, we have a whole arsenal of staff here in the amendment room that have been working with me, and we don't see an option that would again perform at a high enough Black voting age population with certainty.

SEN. PETERSON: Are there any drafts with your map drawer that exist?

SEN. HEWITT: I doubt it. I mean, there's just an arsenal of paper. Anything that didn't seem to survive of course goes into the trash.

SEN. PETERSON: But do you remember at all any area that you focused on to try to create the majority-minority district?

SEN. HEWITT: I do not.

SEN. PETERSON: And you just mentioned also to Senator Luneau that the committee doesn't have a lawyer. Did the legislature hire a lawyer?

SEN. HEWITT: Any hiring decisions are made by the president and the speaker, and so you'll have to ask them any of those questions.

SEN. PETERSON: You're not aware of whether a lawyer is working for the State Senate and/or State House right now, in redistricting?

SEN. HEWITT: Well, I suspect that they are but I don't know the details of that. I'm not privy to the contract, and I wasn't involved in any of those negotiations of course.

SEN. PETERSON: I'm not asking about the contract, but allegedly, there was a lawyer

hired, a firm hired, to help with the redistricting process.

SEN. HEWITT: Yeah.

SEN. PETERSON: You're not aware. You've never spoken to anyone at a law firm to help with the redistricting process?

SEN. HEWITT: I have talked to some lawyers about the redistricting process but, again, it was not - I'm not the one involved in hiring them.

SEN. PETERSON: All right, I don't care about that.

SEN. HEWITT: I did meet a number of them at an NCSL training that our committee and the house committee went to and heard many of them speak there, and so they appear to be great resources.

SEN. PETERSON: Did you ever talk to them about our maps?

SEN. HEWITT: I have talked to them about our maps, mostly just from again the legal perspective primarily about Voting Rights Act and other things like that.

SEN. PETERSON: Did they say that your plan complies with the Voting Rights Act?

SEN. HEWITT: I believe that our plan does comply with the Voting Rights Act.

SEN. PETERSON: Did the lawyers tell you that?

SEN. HEWITT: Our lawyers, the lawyers that I have spoken to, believe that it complies with the Voting Rights Act.

SEN. PETERSON: Do you mind telling me what lawyer told you that?

SEN. HEWITT: A lawyer with Baker Hostetler.

SEN. PETERSON: Do you mind telling me his or her name?

SEN. HEWITT: Why does it matter?

SEN. PETERSON: Because the State of Louisiana taxpayers are paying for the legal advice and we are the body of the senate, and we have a process. I would like to talk to the lawyer at that law firm since I'm a member of the Senate.

SEN. HEWITT: The lawyer that I have spoken with is Kate McKnight.

SEN. PETERSON: Is Ms. McKnight here today?

SEN. HEWITT: I don't believe so.

SEN. PETERSON: Would she be available that I could ask her about the Voting Rights Act and

the existing plan to see if, you know, why she thinks that this complies with the Voting Rights Act?

SEN. HEWITT: I can't tell you if she will speak to you or not. I don't know.

[02:40:00]

SEN. PETERSON: Why wouldn't she speak to me?

SEN. HEWITT: You'll have to call and ask her. I have no idea. She is under contract.

SEN. PETERSON: With whom?

SEN. HEWITT: Ask the senate president or the speaker. I don't know who the contract is between or whom.

SEN. PETERSON: Why did you get to talk to her?

SEN. HEWITT: Because I'm chairing the committee and I'm drafting the bills.

SEN. PETERSON: So, only chairmen that get to chair the committee and draft the bills get to talk to the lawyer that's paid for by the State?

SEN. HEWITT: I have no idea.

SEN. PETERSON: Would you ask her to call me?

SEN. HEWITT: I'd be happy for her to call you. I will ask her. I can ask her.

SEN. PETERSON: Yes. Do you think she might want to talk to me?

SEN. HEWITT: I have no idea what she wants to do.

SEN. PETERSON: Why did she talk to you?

SEN. HEWITT: Because I called her.

SEN. PETERSON: How'd you get her number?

SEN. HEWITT: Would you like to ask a question about the bill or the amendment?

SEN. PETERSON: I'm asking about the bill. There's a process in redistricting and when lawyers get hired and are paid for by the State of Louisiana, the body that I've served in for 20 years, then I'm entitled to the same advice about an important issue like redistricting, to represent all of the people. So, if she told you that the Voting Rights Act is being complied with on you bill, why won't she tell me the same thing, why can't I call her, why am I only finding out her name today, and why haven't I had access to her?

SEN. HEWITT: I can't answer any of those questions. Again, I do not preside over this

agency. I don't preside over the senate, so I don't know why she didn't call you.

SEN. PETERSON: She wouldn't have called me because you're the only one, because you're chairing the committee and drafting the bills. Do you think that's okay for her to only talk to you and not any other member that clearly has an interest? Can she talk to Senator Fields? He's been really involved in this.

SEN. HEWITT: I have no idea.

SEN. PETERSON: Do you think this process is okay?

SEN. HEWITT: I think that I'm doing the job that I've been asked to do.

SEN. PETERSON: Do you think it's fair that the senate has hired an advisor that talks about the biggest issue with respect to redistricting compliance and this senate is just learning the name of the lawyer that you've been talking to?

SEN. HEWITT: Well, I would imagine over the history of the senate, there have been a lot of lawyers that have worked on behalf of our legislature. I don't know that all of us have access to all of them and that we're all talking to all of them on all of the issues.

SEN. PETERSON: Do you think this process, that only happens once every ten years, is different and worthy of access to a lawyer giving advice on districts?

SEN. HEWITT: The purpose of the lawyer is to defend the legislature and any actions that may be taken where the legislature is named in suit. We certainly have two suits that have already been filed. There's been very active comment at the table from other groups, right, about lawsuits that's been reported in the newspaper, so I don't think it is unusual for the legislature to have contracted with a lawyer on this issue.

SEN. PETERSON: I'm not saying it's unusual. Just wanting to know why the lawyer that's been hired that's getting paid never appeared in committee never was made accessible to members who have a clear interest in making sure we get the districts right. Certainly, maybe other members knew about - the lady's name again? Kate what?

SEN. HEWITT: Kate McKnight.

SEN. PETERSON: Maybe other people knew about Ms. Kate McKnight. I've never heard of her,

I've never seen her at the table, I've never seen - does she have emails that you've exchanged with her?

SEN. HEWITT: Perhaps.

SEN. PETERSON: Perhaps?

SEN. HEWITT: Yes, of course.

SEN. PETERSON: I don't know about of course. That's why I'm asking. Do the emails talk about varying iterations of districts?

SEN. HEWITT: The emails are largely focused again on legal advice as it relates to the Voting Rights Act.

SEN. PETERSON: Do you mind sharing all the emails that you have with her, with members of the senate, in confidence, under confidentiality agreement?

SEN. HEWITT: I'm not going to address that. I don't know exactly what would be the right protocol for that. There's certainly attorney-client privilege in the work that we're doing, and anything else would be addressed through I assume public records request that would go through our process, our senate process.

SEN. PETERSON: Who's the client?

SEN. HEWITT: I did not sign the contract. You're going to have to ask contractual issues or questions of the senate president or the speaker of the House.

[02:45:01]

SEN. PETERSON: Do you feel that she works for you? Are you a client?

SEN. HEWITT: I don't know that I would say I'm a client, all right, but I have spoken to her because I'm doing the work. I'm preparing the bills.

SEN. PETERSON: Thank you, Senator Hewitt.

SEN. HEWITT: Anytime, Senator Peterson.

PRES. CORTEZ: Senator Jackson for a question on the amendment.

SEN. JACKSON: Senator Hewitt, you said that when you were drafting bills you went through options of creating a second minority district. When you started that process, what was the goal of population, minority population for that second district?

SEN. HEWITT: The goal is to make them nearly equal, so whatever that number is, the 600 and - what's the - 776,292. So, that's the ideal population.

SEN. JACKSON: No, I understand the ideal population but you made a statement that another minority district could not be drawn. So, what was your goal of minority population to create a second district? What was the goal of minorities in that district?

SEN. HEWITT: I don't know that I had a goal or specific number in mind. We know that at 58% as CD 2 currently is configured that it performs, anything, would something perform at a lower number than that? Perhaps. Again, that's where you need statistical work to be done to know that for sure, but the districts that we were able to look at were all more on the 51-52%, 50%. They weren't very high in my opinion and so those were - and as we've seen in the maps that have been proposed by Senator Fields and others, they're in the 52-52% and so, you know, again we don't have the data and the evidence to demonstrate that that district would perform at that Black voting age population number, and so I was not comfortable in proposing it because it was going to bring down both the current congressional district as well as the new district.

SEN. JACKSON: In creating the minority, second minority district, what was going to be the new percentage for the existing minority congressional district if you had added that 51-52% minority district?

SEN. HEWITT: Ask it again.

SEN. JACKSON: You said that it was going to bring down - if you created a second minority district, it was going to bring down the numbers, the number of minorities, in the already existing minority congressional district. When you drew that map, what was the numbers going to in that existing minority district that we have already? What was the minority percentage there?

SEN. HEWITT: Yeah, my recollection is that in all the cases, it brought it down to something closer to 52% or 51%, the existing district, as well as the new district.

SEN. JACKSON: Have you had an opportunity to look at Senator Fields' proposed districts?

SEN. HEWITT: It's very close to Senate Bill 2, which we did hear in committee, and so with I think a small exception in the Baton Rouge area, it is very similar to a map that we've already seen.

SEN. JACKSON: So, in his map, what's the current minority population for our current minority seat?

SEN. HEWITT: It's either 51 or 52. Both of the districts he creates are 51 and 52 in the amendment he just proposed?

SEN. JACKSON: And so, in order to determine whether or not a minority district can perform at 51, 52, 53, 54%, if you guys do anything besides say, "We don't know," what was looked at to determine whether or not a minority district at 52%, 53% could perform?

SEN. HEWITT: Well, obviously what needs to be done is to have, you know, a racially polarized voting analysis done. You know, there have been folks that have testified at the table that they have done them. I haven't seen them. I've asked for that so that we could see, what you have to have of course in a study, as you have to be able to have enough election history, you have to acknowledge voter turnout, all right, and you have to be able to have enough data to be statistically significant so that you can predict a trend with some certainty, and so you know, any information, I've had a number of people talk to

me that had an interest in this and maybe some statistical information, and no one has had the confidence to be able to predict with some certainty any of the trends.

[02:50:03]

And so, again, what I keep hearing is that there's too much noise in the data. There's not enough consistency in the performance on voter turnout and other things in different areas, to be able to model it with any confidence. And so, for a lack of certainty on that, again, I think the best course of action, or at least the action that I've chosen to take, is to not create the second district because I want to make sure that we're preserving the integrity of the current minority district.

SEN. JACKSON: So, you sought to create the second district because minorities make up a third of Louisiana. Is that correct?

SEN. HEWITT: That's not my driver. The one-third is not my driver, but the task was to look to see if it was possible, all right. And so, we did look to see if it was possible and determined that it was not possible in my opinion to draw a second district.

SEN. JACKSON: My question is definitely not answered but to ask, that we do all we can, because if we knew we needed to look at a polarized study of whether a minority district could perform at 52, 51, 53%, and we selected not to do that, was there a cost issue? Did you or others look at the cost of study to determine whether or not a minority district could be done? Because a part of the Voting Rights Act is to ensure that minorities have a seat at the table, and so I think we do all we can, right, to make sure we come in equipped to do so. So, my question I started is, did we take that into account knowing we would need that, and at any time in the process, did we even look at the cost of having that study done so we would know?

SEN. HEWITT: Yeah, I have no idea about the cost but I have asked for a racially polarized voting analysis. Again, those are difficult to get. I think those are people that are in high demand. I don't have any idea about the cost, but I see great value in that, and again, some of the preliminary information that I've been given, and I don't have any documentation in my hand that I could share with anybody, I don't have any

1 documentation whatsoever, but just preliminary
2 information has been - and I think this is part
3 of it. The frustration on the part of the data
4 analysis, guys, that there is not enough data for
5 them to feel like they could predict or the
6 model, and so they just keep looking for more
7 data and more opportunities to find other
8 elections and other things to develop a trend to
9 be able to give us any kind of advice one way or
10 the other, and what they keep saying is they're
11 scattering the data and there's great uncertainty
12 on the data, and so that's kind of where we are.
13 SEN. JACKSON: So, who did we ask to give us
14 that data? Who did we actually ask to contract
15 with and ask could they give that to us? Not just
16 people that came in committee and testified
17 because by that time, we were [PH 02:53:01] in
18 the way. Who did we attempt to contract with to
19 receive that data?
20 SEN. HEWITT: Yeah, again, I don't know
21 about contracts because that's not my job, but
22 you know, we have talked to the law firm about
23 finding consultants that would produce that kind
24 of work.
25

SEN. JACKSON: And what did the law firm tell you about that type of work?

SEN. HEWITT: I think they have consultants and they have people that can do that work, and they have people that have looked at Louisiana and, you know, again, I haven't gotten a report. There is no report, just some preliminary information that they're still trying to find enough data, because there's too much scattering of the data and too much uncertainty, too much noise as to where they keep using to be able to feel confident in predicting any kind of a trend.

SEN. JACKSON: So, we asked a law firm and the law firm had people to do the research, and they just didn't issue a report? I want to be very clear on what the law firm did on this issue because this is an important issue.

We asked them, they did the work, but they didn't deliver a report to you?

SEN. HEWITT: Yeah, I don't think it's a completed product yet. I think they still are searching to try to identify other sources of information that would help them to be able to compute a trend, all right, so that they could finalize a report. So, right now, it's just a

1 work in progress, all right, was just preliminary
2 information that says we're still working.
3 There's too much noise in the data.
4 SEN. JACKSON: And my last question, if the
5 law firm is still working and it hadn't gotten to
6 the point to give us enough information to even
7 determine whether or not a minority district can
8 perform at 51, 52, or 53%, are we a bit premature
9 with drawing this congressional map without a
10 minority district, while we were waiting on the
11 firm that we're paying to give us an answer on
12 whether it's possible?
13 [02:54:54]
14 SEN. HEWITT: Well, again, I think that if,
15 you know, where they are today is to say there's
16 not enough certainty in the data, and what the
17 Fifth Circuit has said, is if there's not enough
18 certainty on the data, it defaults to the map
19 drawer.
20 SEN. JACKSON: That was my last question
21 until you brought this up. If you're saying
22 there, where they are today, their answer to you
23 is there's not enough certainty in the data, the
24 data to see it? Did they put that in writing?
25

SEN. HEWITT: No. I don't have anything in writing.

SEN. JACKSON: Did they tell you that on a phone call, that there's not enough certainty in the data to produce a report, and if so, who did they hire to do it?

SEN. HEWITT: I honestly don't know the name of the person they hired to do it, but it's somebody from Stanford University. You know, I don't know who it is.

SEN. JACKSON: I'm asking that the senators be - that name be shared with the senators, so that those who are interested also in a minority district may have an opportunity to talk to that person. I'm sure as a practicing attorney that that person sent something to the firm to conclude his or her work, whether it could be done or couldn't be done, and I'm very interested in receiving that. Thank you.

PRES. CORTEZ: Okay. Senator Price, you have a question on the bill but do you want the question to be on the amendment? Okay. Question on the amendment, Senator Price.

SEN. PRICE: Thank you, Madam. Thank you, Mr. President. Now, I guess it's back to the - as

a member of the committee and it did come up yesterday about the fact that an attorney, a law firm had been hired, and I actually at that time – would they share information with us and of course at that time, you said that everything was just preliminary, and it's my question to you at this time, and we're debating the bill and amendment and everything, but would you be willing to return it to the [PH 02:56:59] calendar until we do a public record request getting the information, the text messages, and everything that's been communicated between yourself and this law firm? As a member of the committee, I would like to know what they're doing, what preliminary information that they have come up with, and see if we can figure something out here.

MR. PRESIDENT: Senator Price, we're on the amendment right now for Senator Fields so the question was on the bill. Let's get Senator Fields to close on his amendment. Let's dispose of the amendment before we discuss the bill again, if that's okay. Is everybody okay with that?

SEN. PRICE: Thank you.

MR. PRESIDENT: Okay. There are no other questions on the amendment. Senator Fields, you have a right to close on your amendment.

SEN. FIELDS: Thank you, Mr. President, members of the Senate. This amendment simply will give a second - give us an opportunity to draw a second minority district. That's all the amendment does. It draws a second minority district. I ask for your favorable consideration.

MR. PRESIDENT: Okay, members, Senator Fields has offered up an amendment to which Senator Hewitt has objected. When the machines are open, all those in favor of adoption of the amendment will vote, "Yay," those opposed vote, "Nay," and the secretary will open the machines. Vote machines. Vote machines. You through voting? Are you through voting, members? Close machines. 12 yays and 27 nays, and the amendment fails to be adopted. Members, there was some questioning on the previous amendment relative to a law firm and attorney being hired, and I want to be clear. Senate Rule 3.3 no. 23 states the senate duties of the president shall be to approve all expenditures of the Senate and its members and to enter into contracts for the senate and its

members. So, to take everything out of the questioning, I have contracted along with the speaker with a law firm who are experts in election law. That, one of the statements was, "Public money has been spent," that is incorrect. There has been zero money spent on the law firm. They were hired for litigation purposes in the two lawsuits that had been filed against the State of Louisiana, and they fall under the purview of, as you all know redistricting falls under the purview of, the Legislature. The speaker and I thought it important to engage a law firm who were experts in that field.

[02:59:53]

So, at the time information comes available for any part of this, the answer to the question of, "Would we get it," Senator Price, yes, it would be made available to all the members of the Senate as I deem necessary. So, hopefully that clears everything up. Back on the bill. Senator Price, did you have a question on the bill now? You're good? Okay. Senator Hewitt, there are no questions. You have a right to close.

SEN. HEWITT: All right. Thank you, Mr. President. Members, I believe that this bill

complies with the Voting Rights Act and it does the best job of the maps presented to this committee in keeping the communities of interest, parishes, and precincts together, and providing for continuity of representation by preserving the cores of our current districts. Senate Bill 5 provides a majority-minority district, Congressional District 2 in the New Orleans and Baton Rouge area that has consistently provided the minority voters in that district the opportunity to elect candidates of their choice. I believe this bill meets all of the federal and state laws, and again does the very best job of addressing the redistricting principles that we adopted. So, at this time, Mr. President, I move final passage on Senate Bill 5.

PRES. CORTEZ: Senator Hewitt has moved final passage of Senate Bill 5. When the machines are open, all of those in favor will vote, "Yay," those who oppose vote, "Nay," and the secretary will open the machines. Vote machines. You through voting? Close machines. 27 yays and 12 nays, and the bill is finally passed. Senator Hewitt moves to reconsider vote by which the bill passed, and lay that motion on the table without

1 objection. So ordered. Senator Jackson, would you
2 like personal privilege? Senator Jackson.
3 SEN. JACKSON: Thank you Mr. Speaker. Other
4 members may be joining me. One of our very own
5 that should be somewhere in this chamber, Sylvia
6 Cooper, who has been working with the legislature
7 a number of years was featured in USA TODAY in a
8 story about civil rights. Ms. Cooper was one of
9 1,500 Southern students that marched on the steps
10 of the court here in Baton Rouge to help overturn
11 a conviction of an African-American student at
12 Southern University who was being convicted for
13 speaking out against racism. Ms. Cooper was
14 featured on the front page of the USA TODAY and I
15 think she is somewhere in here and her statement
16 was very compelling and very moving about why she
17 did it, but this was the case that actually went
18 to the US Supreme Court that overturned a number
19 of state cases and rulings that said that
20 African-Americans could not stand in peaceful
21 protest. And so when this case went to the United
22 States Supreme Court, it was the first time a
23 court in the United States recognized the ability
24 for African-Americans to speak against oppression
25 without being arrested. So I wanted to recognize

her one of our very own in the senate, employee Sylvia Cooper and she is -- they are pointing, there she is. I want to recognize Sylvia Cooper because she took a stand when it was unpopular, but made a major change.

PRES. CORTEZ: Senator Jackson, and thank you for bringing that to all of our attention. I believe it's Sylvia Copper.

SEN. JACKSON: Copper. I keep saying Cooper.

PRES. CORTEZ: Sylvia Copper.

SENATOR KATRINA JACKSON: I always call her Cooper.

PRES. CORTEZ: So for those of you who get to see her in the committee rooms, she is right there for us every day. So congratulations. It's always good to know a little bit more of the back story of people's lives and thank you for doing what you did and the courage you had to do it. So congratulations again.

SEN. JACKSON: Thank you.

SEC. DIXON: Senator Pope now moves that we revert to the morning hour. Messages from the House. The House has finally passed an asterisk concurrence in the following House Bills. House Bill 2 respectfully submitted, Michelle Fontenot,

Clerk of the House. Introduction of House Bills, House Bill 2 by Representative Stefanski is an act to amend Title 45 relative to redistricting to provide for election districts for the Public Service Commission. It lies over.

PRES. CORTEZ: Announcements. Senator Hewitt.

[03:05:07]

SEN. HEWITT: Thank you Mr. President. Members, the Senate Governmental Affairs Committee will have a meeting tomorrow at 9:30 in the Hainkel room. Our agenda will include hearing or considering three Supreme Court bills we heard today. We will consider an amendment on one of them and we'll hopefully dispose of those tomorrow, and that will wrap up all of the senate bills that have been requested to have been heard in committee. 9:30 in the Hainkel room. Thank you.

PRES. CORTEZ: Thank you. Any other announcements? Any other announcements? Okay, very good members. Senator Talbot for a motion.

SEN. TALBOT: Thank you Mr. President. I make a motion we adjourn and convene somewhere around 5:00 pm.

PRES. CORTEZ: I think it's going to be 2, but my typist… when I was typing I slipped and I hit the 5 instead of the 2, I apologize.

SEN. TALBOT: I am like Ron Burgundy, I just read what's in front of me.

PRES. CORTEZ: We'll do that.

SEN. TALBOT: We'll adjourn and convene at 2 p.m.

PRES. CORTEZ: 2 p.m., very good. Thank you Senator Talbot and I apologize for that typo. Without objection.

[03:06:19]

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