CHAIRMAN STEFANSKI: I'm going to call the committee on-house and governmental affairs to order, this Friday, February 4th. I'll ask that anyone who has a cell phone please silence it. Anyone who wishes to give testimony please fill out a card. We have our agenda that is posted. We have three Bills. House Bill 1, 2 and 3 for consideration this morning. We are going to start with House Bill 1, but I'll have Madam Secretary read the roll.

MADAM SECRETARY: Chairman Stefanski.

CHAIRMAN STEFANSKI: Present.

MADAM SECRETARY: Present. Vice Chairman du Plessis.

VICE CHAIRMAN DUPLESSIS: Present.

MADAM SECRETARY: Present. Representative Bouie.

REPRESENTATIVE BOUIE: Present.

MADAM SECRETARY: Present. Representative Wilford Carter.

REPRESENTATIVE WILFORD CARTER: Present.

MADAM SECRETARY: Present. Representative Deshotel.

REPRESENTATIVE DESHOTEL: President.

MADAM SECRETARY: Present. Representative Farnum.

REPRESENTATIVE FARNUM: Here.

Hearing Exhibit
PR-56
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MADAM SECRETARY: Present. Representative Gadberry.

REPRESENTATIVE GADBERRY: Here.

MADAM SECRETARY: Present. Representative Hodges.

REPRESENTATIVE HODGES: Here.

MADAM SECRETARY: Present. Representative Horton.

REPRESENTATIVE HORTON: Here.

MADAM SECRETARY: Present. Representative Ivey.

REPRESENTATIVE IVEY: Here.

MADAM SECRETARY: Present. Representative Jenkins.

REPRESENTATIVE JENKINS: Present.

MADAM SECRETARY: Present. Representative Mike Johnson.

REPRESENTATIVE MIKE JOHNSON: Present.

MADAM SECRETARY: Present. Representative LaCombe. Representative Lyons.

REPRESENTATIVE LYONS: Present.

MADAM SECRETARY: Present. Representative Magee.

REPRESENTATIVE MAGEE: Present.

MADAM SECRETARY: Present. Representative Newell.

REPRESENTATIVE NEWELL: Present.

MADAM SECRETARY: Present. Representative Thomas.

REPRESENTATIVE THOMAS: Here.

MADAM SECRETARY: Present. Representative White.

REPRESENTATIVE WHITE: Present.

MADAM SECRETARY: Present.

CHAIRMAN STEFANSKI: We have a quorum. Again, like I said, we're going to invite the speaker up to present House Bill 1 and that is where we will start members.

[OVERLAY]

CHAIRMAN STEFANSKI: Mr. Speaker whenever you're ready. Hold on. Should begin Mr. Speaker.

CLAY SCHEXNAYDER: Good? All right. Good morning and thank you all for letting me come in today and present a Bill that we worked very hard on and I think in the end if you look at it carefully and look at the things that we needed to focus on and the population, and people being as close to the numbers as we needed them to be. I think you're going to see and like this plan as we move forward. As you know, the state grew in population at 2.4 7%. This population growth combined with the population shifts in the state, caused the population in each of the congressional districts to deviate from the ideal population for a congressional district. When the legislature re-district the congressional districts 10 years ago, the ideal population was 755,562. Following the 2020 census, the new ideal population

of the congressional districts in Louisiana is 776,292. The districts must be re-drawn to achieve constitutionally required equal population. Among the districts - the largest population difference among these districts is 88.120. This is between the congressional districts for the lowest populated district and Congressional District 6, which is the highest populated. According to the 2020 census population data, Congressional Districts 1, 3 and 6, are overpopulated. Congressional Districts 2, 4, and 5 are underpopulated. This Bill is my best efforts to achieve population, equality among the districts. In fact, HB1 has a relative deviation of 0.00%. Which is the percentage of which all district populations differ from the ideal population of 776,292. And then, the overall range of 46 which means that between the highest populated district in my Bill, which is District 4 and the lowest populated district in my Bill with is Senate District 3. There's a difference of only 46 people. This was accomplished using whole precincts. Let me tell you a bit about the districts and what the changes were made. As it sits today, Congressional District 1 is 4.68% or 36,293 people over the ideal population.

[00:05:01]

1 It is encompassed by Parishes of Plaquemine, St.
2 Bernard, St. Tammany and parts of Parishes of
3 Jefferson, Lafourche, Orleans, Tangipahoa and
4 Terrebonne. To equalize the populations of Senate
5 District 1, I shifted precincts in the Tangipahoa
6 near Hammond between Senate Districts 1 and 5 and in
7 Jefferson and Orleans between Senate Districts 1 and
8 Senate Districts 2. In Lafourche and Terrebonne,
9 between Senate Districts 1 and 6.
10 CHAIRMAN STEFANSKI: And I know you mean
11 congressional district.
12 CLAY SCHEXNAYDER: Oh, I'm sorry.
13 CHAIRMAN STEFANSKI: That's all right, just to be
14 clear.
15 CLAY SCHEXNAYDER: My bad. The general makeup of
16 the district remains the same but by shifting the
17 precincts, I was able to get the population district
18 to 776, 288, just four people below the ideal
19 population. Congressional Districts 2, as it says
20 today, Congressional District 2 is at minus .13%. A
21 thousand people under the ideal population. It is
22 comprised of Parishes of St. James, parts of
23 Ascension, Assumption, East Baton Rouge, Eva Ville,
24 Jefferson, Orleans, St. Charles, St. John the Baptist
25 and West Baton Rouge. To equalize the populations of

Senate District 2, I shifted precincts in Jefferson and Orleans between Congressional District 1, Congressional District 2 and Congressional Districts 1. And then, East Baton Rouge, Eva Ville, St. Charles and St. John between Congressional Districts 2 and 6. The general makeup of this district remains the same, but shifts those precincts I was able to get the population of the district to 776,293. Just one person above the ideal population. Congressional District 3, as it sits today, Congressional District 3 is 1.23%, 9,532 people above the ideal population. It is comprised of Parishes of Acadiana, Calcasieu, Cameron, Iberia, Jefferson, Davis, Lafayette, St. Martin, St. Mary, Vermillion, and parts of St. Landry. To equalize the population of Congressional District 3, I shifted out of St. Landry Parish and gave those precincts to Congressional District 5. I shifted lower St. Martin to Congressional District 6. I shifted some precincts in St. Mary to Congressional District 6. By making those shifts, I was able to get the population of the district to 776,275 to 17 people under the ideal population. Congressional District 4, as it sits today, Congressional District 4 is minus 6.18%, 47,946 people below the ideal population. It is comprised of Parishes of Allen,

Beauregard, Bienville, Bossier, Caddo, Claiborne, DeSoto, Evangeline, Natchitoches, Red River, Sabine, Vernon. Webster Union, and parts of St. Landry Parish. To equalize the population in Congressional District 4 I shifted into Rapides Parish that was previously in Congressional District 5. Shifted out of St. Landry Parish and gave those precincts to Congressional District 5. I shifted out of Union Parish. By making the shift, I was able to get the population of the district to 776,321. Just 29 people above the ideal population. Congressional District 5, as it sits today, Congressional District 5 is minus 4.77%, 37,048 people, below the ideal population. It is comprised of Parishes of Avoyelles, Caldwell, Catahoula, Concordia, East Carroll, Franklin, Grant, Jackson, LaSalle, Lincoln, Madison, Morehouse, Washita, Pointe Coupee, Rapides, Richland, St. Helena, Tensas, Washington and West Cal, West Feliciana and Winn and parts of the Parish of East Feliciana, St. Landry and Tangipahoa.

[00:10:04]

To equalize the population of Congressional District 5, I shifted into Union Parish that previously was in Congressional District 4. I made St. Landry Parish whole in Congressional District 5,

which was previously split into Congressional Districts 3, 4, and 5. I shifted into Pointe Coupee, which previously was in Congressional District 6 and made East Feliciana and St. Helena whole in Congressional District 5, which was previously split between Congressional Districts 5 and 6. I shifted most the Rapides Parish to Congressional District 4. By making these shifts, I was able to get the population to 7,762,751. Just 17 people below the ideal population. Congressional District 6. As it sits today, Congressional District 6 is 5.18 or 40,174 people, above the ideal population. It is comprised of the Parishes of Pointe Coupee, Parts of Ascension, Assumption, East Baton Rouge, East Feliciana, Iberville, LaFourche, Livingston, St. Charles, St. John the Baptist, Terrebonne, West Baton Rouge, West Feliciana. To equalize the population of Congressional District 6, I shifted the precincts in the East Baton Rouge, Iberville, St. Charles, St. John between Congressional District 6, Congressional District 2. I shifted precincts in Terrebonne and Lafourche between Congressional District 6 and 1. I shifted Pointe Coupee and parts of East Feliciana and St. Helena to congressional District 5. By making these shifts, I was able to get the population of the

1 district to 776,305, just 13 people above the ideal
2 population. Members, I think the work that was put in
3 on this congressional re-districting was thorough. I
4 think it represents the State of Louisiana and I'm
5 willing to take any questions.
6 CHAIRMAN STEFANSKI: Mr. Speaker, I called out
7 your Bill. I think you have a good attempt. Our duty
8 to make sure that these populations are equal is an
9 overriding duty. Specially, on this map. We have to
10 try to get down to as close to the nearest person and
11 I think the numbers speak for themselves on that.
12 CLAY SCHEXNAYDER: And I think the numbers do. If
13 you look at them, I think we've done a great job at
14 that and we - this is just my attempt.
15 CHAIRMAN STEFANSKI: Will go to the questions.
16 For question, Represent Jenkins.
17 REPRESENTATIVE JENKINS: Thank you, Mr. Chairman.
18 Good morning, Mr. Speaker.
19 CLAY SCHEXNAYDER: Good morning.
20 REPRESENTATIVE JENKINS: First, let me compliment
21 you on the work, the will into this map. I think we
22 all know that this is not really a very easy process
23 and I'm sure we all have goals that we're trying to
24 reach and overall goal is to make sure we got that we
25 have, maps that shows some fair representation based

upon population and other factors that need to be considered. As you know, we – this committee – well, the joint committee, we just completed roadshows for around the state. About 10 of those roadshows. And one of the resounding concerns I heard at the roadshows was the need for a second Black congressional district in Louisiana. Did you consider this public input in drawing your map?

CLAY SCHEXNAYDER: This is just one of the mini maps that were filed. So, what I done was I took the information that I had to create this map. It's my attempt to put in a map out there that is fair and there are many of them that come that have different precincts in them as far as creating new ones but this is just my attempt. This is just me.

REPRESENTATIVE JENKINS: And I'm sorry, I'm not questioning your fairness, anything like that. What I'm trying to do is take a look at whatever is presented, and one of the things that I heard doing the roadshow and then, of course, looking at some of the statistics. It appears that Louisiana's population did grow.

[00:15:00]

The African-American population that was some increase. Do you agree with that?

CLAY SCHEXNAYDER: We heard that at the roadshows. I was at some of them as well. So, yes. I've heard that.

REPRESENTATIVE JENKINS: Okay. So, my question is, did you on this particular map attempt to draw a second minority district? And if it was not, if you're not able to accomplish it, can you kind of explain maybe what prevented you from being able to do that?

CLAY SCHEXNAYDER: Well, look, Representative Jenkins, that you know as well as I do that this was just my attempt. There's going to be other ones that go out there that attempt those other congressional districts. I think that's why we go through this process. That's what we do. We all present a map that we think is what my expression is to be able to get out to the people to make it.

REPRESENTATIVE JENKINS: I've I guess what I'm asking in your processing of shaping this map. And once again, I'm not questioning your personal integrity or fairness or anything. Okay? I'm simply asking for the record. Did you in this particular map attempt to draw a second district? And for some reason it didn't work, it could have been anonymous,

it could have been a population. I'm just trying to get some sense of why we would not have a --

CLAY SCHEXNAYDER: Look, and I get that. This was just one attempt of many that are going to come across this committee that you all going to have to look and vote on. This is just my attempt to do that. This is the process. This is what we do. This is my attempt.

REPRESENTATIVE JENKINS: Okay. All right. Well, let me ask you this question. Obviously, there was some growth according to some statistics that I saw in the Orleans area, Baton Rouge area. I mean, in looking at this particular map and information that was there, do you think that those areas can sustain two separate minority districts? One, maybe based on Darlings[ph] area and one base out of the Baton Rouge area.

CLAY SCHEXNAYDER: And I think both of them had a population increase. But also, we did have population increase in St. Tammany. We had population increasing Ascension and Lafayette area. So, I mean, taking in everything that we were able to get from the roadshows, from the census, I think this is my best interpretation of a map that I think represents Louisiana

REPRESENTATIVE JENKINS: Yeah, I was looking at those areas that you see the increases where at. I guess, what I'm trying to find out, and I'm just talking about this. I know there may be some other maps. I've seen quite a few submissions, but we have to take them out at a time. In processing this particular map that we're talking about today, with those increases in those areas that you just talked about. Did you see at all if it was possible that there could be two separate minority districts coming out of those areas or do you think that that's not possible?

TANNER MAGEE: Representative, if I may, I think you're referring to the process. I would answer you that this entire exercise and it's more than an exercise. The democratic process together is the process. This is one step in that process. Another step being the roadshow was the first step to get public input on a whole host of possibilities. This is the one step in the process. The other part of process is everybody else's map, getting out of this committee, the floor of amending the process and whole can encapsulate everything you're talking about in this bill and outside of it. So, when you referring to the process, I think it's very important

for the members of the community to realize that the process and calculation, not only the roadshow, the drafting of the Bills, but also the process that goes along this day forward. So, I think what Mr. Speaker is referring to is that the process will account for all of the factors which you are discussing at and we all know there's competing factors, right? And so, this is the first attempt at trying to recognize all the competing factors where nobody is saying it's the only attempt, the best, we're just saying this is a attempt. And as we work through the entire process, I think that we were going to try it as a committee, as a house and then as a senate and then as a legislature, and then as a governor is going to complete the process of what reflects all the things you're discussing. So, the answer to that is I think we need multiple attempts because that's the democratic process. Is that multiple attempts, synthesize those attempts and see what the result is.

REPRESENTATIVE JENKINS: Louisiana is a diverse state Mr. Pro Tem, do you agree?

TANNER MAGEE: Absolutely.

REPRESENTATIVE JENKINS: Do you think that these congressional maps, we only get six congressional

1 seats. Do you think that these Congressional Maps
2 should represent the diversity of our state?
3 TANNER MAGEE: I don't think anybody disagrees
4 with the diversity.
5 [00:20:01]
6 REPRESENTATIVE JENKINS: Okay. Do you believe
7 that if a second minority district can be drawn that
8 it should be created?
9 TANNER MAGEE: I think we should look at all the
10 possibilities and as a democratically elected body,
11 consider all the factors and produce a map that
12 reflects the entire will of the body.
13 REPRESENTATIVE JENKINS: Okay. We have one out of
14 every three Louisianans, according to the census, are
15 African-America and we have six districts for
16 congress and we only have one and this map is on a
17 reflecting one. So, I guess, that's a concern I'm
18 expressing and Mr. Speaker, I do want you to
19 understand, I realize what you have prepared here and
20 I can sort of respect what you have prepared here. My
21 concern is that it only has one district and my
22 questioning was if I could capitalize as best as I
23 can. Mr. Chairman. I'm about to wrap it up. Is if we
24 can draw a second minority district? I'm trying to
25

hear from you all. Should we do it and I'm not sure if I got a straight answer on.

CHAIRMAN STEFANSKI: Well, Representative Jenkins, I think they were pretty clear. They said they're discussing this. This is their attempt and - but all the answers been circling around that. This is one of the instruments. This is the first attempt and we're here to evaluate and go through the legislative process.

REPRESENTATIVE JENKINS: Mr. Speaker, if this bill should make its way to the floor, hopefully we could have some conversation about it and the makeup of it and what the shared goals should be to make sure we got diversity in the State of Louisiana. I'm sure there's something that - me knowing you. I'm sure there's something that you want to accomplish. So, thank you once again for answer my questions and we'll see where the process goes as the pro tem just explained a few minutes ago. Thank you all so much, appreciate. Thank you, Mr. --

CHAIRMAN STEFANSKI: Thank you, Representative Jenkins. For question Representative Ivey.

REPRESENTATIVE IVEY: Thank you Mr. Chair. Thank you, Mr. Speaker for presenting a map. Again, we been on this roadshow process for quite a while and it's a

daunting task. So, appreciate your efforts in that. Just a couple questions. Did you personally develop this map?

CLAY SCHEXNAYDER: Myself and staff worked on this map.

REPRESENTATIVE IVEY: Okay. So, you've actually got a lot of hours logged in on this one. Okay. Next question. Did any political organization or other special interest group assist you in the development of this map?

CLAY SCHEXNAYDER: Not at all.

REPRESENTATIVE IVEY: Okay. There's a couple of approaches and I've looked at different ways, develop maps and you can start from scratch, which is certainly one way to do it or you can kind of begin with where we are and begin to try to make those adjustments based on the population shifts. Clearly, that's what you try to do and I think you did a very good job at trying to accomplish that. So, we'll see you. Again, I'm very interested in the rest of the maps that will see. I know the senates' been working on some as well, and at the end of the day, we all know we have to come together. So, thank you.

CLAY SCHEXNAYDER: Thank you.

1 CHAIRMAN STEFANSKI: Thank you Representative
2 Ivey. For question, Representative Carter.
3 REPRESENTATIVE CARTER: Mr. Speaker, let me first
4 say that any time you work on this map is our job but
5 I had the pleasure of working on in 1990 and it is
6 very difficult to do. My concern about this map it
7 just not anybody's map. This is your map, you, the
8 speaker. And so, that carries a lot of weight in this
9 body and what I want to ask, do you agree that the
10 population of Louisiana is over 33.7% none white.
11 CLAY SCHEXNAYDER: I think the census report
12 showed that.
13 REPRESENTATIVE CARTER: And we are doing this map
14 because of the census report we recently got, is that
15 right? And we do this every 10 years.
16 CLAY SCHEXNAYDER: Every 10 years.
17 REPRESENTATIVE CARTER: And this is a function of
18 the legislation.
19 CLAY SCHEXNAYDER: Yes sir.
20 REPRESENTATIVE CARTER: The constitution. All
21 Federal law required the legislation to do this,
22 right? You agree. Now, the legislature is composed of
23 multi people from different backgrounds, different
24 political affiliations. You happen to be a
25 Republican. I happen to be a Democrat. But the law

1 requires that we together present a map that is
2 reflective of the people of the state and is fair. Do
3 you agree?
4 CLAY SCHEXNAYDER: I agree.
5 REPRESENTATIVE CARTER: And I think you agree.
6 And now, so when we do a map, it suggests that we
7 consult all interested parties and I want to ask you,
8 do you consider the legislative Black Caucus to be an
9 interested party in development of a congressional
10 map.
11 CLAY SCHEXNAYDER: I believe all the members of
12 the legislature.
13 REPRESENTATIVE CARTER: Okay. And so, is the
14 Republican delegation and the Democratic delegation.
15 CLAY SCHEXNAYDER: All members.
16 REPRESENTATIVE CARTER: And various groups that
17 in this legislation. My concern is I've been looking
18 at Bills.
19 [00:25:00]
20 And I noticed a Senate Bill. That creates two
21 Black districts and I think that Bill is authored by
22 Senator Fields. And I believe that bill got out of
23 committee on the city side and I'm wondering whether
24 or not you consorted with Senator Fields or any
25

member of the Black Caucus before you prepare your map.

CLAY SCHEXNAYDER: I consulted with members of the house.

REPRESENTATIVE CARTER: Okay. What about the Caucus members of the house?

CLAY SCHEXNAYDER: I didn't separate anybody from a caucus to a delegation. However, I've met with members of the House of Representatives.

REPRESENTATIVE CARTER: Okay. Now, I know there would be a lot of Bills filed, Congressional Bills. I understand that. But I'm on this Bill because this is your Bill, you're the speaker, you're my leader and I respect you, but I have a duty to my constituents to try to weed out the deficiency of this. This map. This map is totally and wholly indeficient. And I'm trying to get at wise like that and capable to do something about it. If, in fact, we've heard that we need another Black district. Do you feel that it would be a Louisiana best interest to create another Black interest, if possible? Another Black District.

CLAY SCHEXNAYDER: I think this is just my attempt to create a map that is fair.

REPRESENTATIVE CARTER: But is it fair if one of the largest population Sector is underrepresented. Does that make - is that mean fair?

CLAY SCHEXNAYDER: I think you're going to see multiple maps that's going to reflect on what you're talking about. I think we'll all have that same process to go through to be able to look at them. This is just one attempt of many. If we all came and filed the same Bill, we wouldn't have much to talk about. That's why - the legislature that has to - been awarded this. We come together as a legislature to debate Bills and look at what's in front of us. This is just one attempt of that, one attempt.

REPRESENTATIVE CARTER: Mr. Speaker, this is your Bill. You care a tremendous amount of weight around here. What you present is your majority of the other group is going to follow, just the way it is. Okay, and there's nothing wrong with that. That's okay. But so it's up to you to make sure that everybody is included. It's all inclusive. This Bill is not all-inclusive. Unless you consulted with people that had other opinion about reaching the minority district, another minority district, it does not include the concerns and wishes of a third of the population of the state and let me ask you this. Do you agree that

1 we received billions of dollars from the federal
2 government for cap improvement. Over a period of 10
3 years, [UNDISCERNIBLE 00:27:58] and you agree that
4 the only delegation that voted for was the Democratic
5 District out of New Orleans through Acura. I'm sure
6 you've made it noticed and obtain attention --
7 CHAIRMAN STEFANSKI: Could you clarify that
8 question, Representative Carter.
9 REPRESENTATIVE CARTER: My question is --
10 CHAIRMAN STEFANSKI: By the infrastructure.
11 REPRESENTATIVE CARTER: We would not have - yeah.
12 We received billions of dollars in federal
13 government, okay. And every district, every
14 congressman voted against it. Senator Carter, don't
15 want a minority district. Okay? That's something
16 worth noting, okay. This is a lot of money to the
17 State of Louisiana. Desperately needed by the State
18 of Louisiana. Everybody told me how great it is but
19 nobody voted for it but that one minority
20 representative.
21 TANNER MAGEE: Representative Carter, I would
22 actually answer you that Senator Cassidy also voted
23 for it and played a heavy-hand in drafting that Bill.
24 So, the notion that minority representation plays a
25 part in an Infrastructure Bill that had bipartisan

and biracial support in Louisiana delegation, I think is first of all inaccurate. Second of all, Representative Carter, I would further answer to that point that I'm not sure that does things are tied together based of that's more of a party vote that came down to House instead of a caucus vote that went down in the House. I would further answer on that point that there is a - it's not - the amount of money you're actually saying is 250 million dollars a year additionally than we already get from the federal government. I'd answer further that this body including you and members of this committee, both bipartisan white and Black vote for a Bill to fund 330 million dollars annually to the State of Louisiana, which dwarves that in comparison and that was done with bipartisan and biracial support. I do not believe that the infrastructure issue is one that is segregated to any kind of caucus of representation.

[00:30:00]

REPRESENTATIVE CARTER: Okay. I wasn't talking about the entire delegation; I'm talking about the house delegation.

TANNER MAGEE: Sure, but the house --

REPRESENTATIVE CARTER: Wait a minute. I'll let you talk. Let me respond to you. The house delegation, there is only one congressman voted for from Louisiana. Do you agree with that?

TANNER MAGEE: No, that's voting [INDISCERNIBLE 00:30:14] would do.

REPRESENTATIVE CARTER: All right. So, it makes a difference how you drop a district to reflect the concerns and wishes of a people because we got different opinions about how to do things.

TANNER MAGEE: Sure. And it also responds to you on that point. That's a very good point. I would add to you that I think what's Speaker Shakes[ph] did with this map is really important because he went through equal representation. I think of all the masks that is going to be filed, it has the lowest standard of deviation. I don't think anybody can beat it on that point. And it aligns with traditional redistricting principles and that it keeps the geographic integrity of Louisiana as best that can be done. If you look at it visually, a layperson would say, yep. That's about as close as you can get to the five different regions of the state and those five different regions states have their own infrastructure needs. And so, if you want to say that

a cotton farm in Northeast Louisiana or stuff that's in the Delta is the same as the coastal issues in South Louisiana related to infrastructure. I would tell you that that argument cuts the other way too that you need a redistricting map that reflects the geography, which the speaker's map does, which other maps do not. And I think that's the debate we're having here and that's why we say it's a process. We have this map that focuses on certain things, traditional, historical maps on redistricting, equal representation, geography and then there's the other maps that are going to focus on other things that you're bringing up and then we're going to have a competition of ideas here and one map may incorporate something that another map has as it goes through the process and as that happens, it didn't reflect the body as a whole by the time it makes it through the entire body into the governor's desk.

REPRESENTATIVE CARTER: Well, I'm just making a record and --

TANNER MAGEE: I would agree you are.

REPRESENTATIVE CARTER: I think you missed my whole point.

TANNER MAGEE: I think the point that you're trying to make a record for is that negation purposes and not for the integrity of the map.

REPRESENTATIVE CARTER: The records for the people. [INDISCERNIBLE 00:32:16] people want to use it. But as I understood when Representative Jenkins asked, did you take into consideration the desire to create another minority district and Mr. Speaker said this is his map. He did not say he took into consideration an attempt. He did not make an attempt to do another minority district.

TANNER MAGEE: Well, that cannot be all things. And we have a competition of ideas and a competition of factors. One map cannot accomplish all goals. All the redistricting goals. The reason why you come into redistricting is because the census data has changed and you have to do it because you have to make the district's equal and Mr. Speaker's map is the best map as far as making them equal in population. That's one factor. There's tons of factors.

REPRESENTATIVE CARTER: That's right. That's the point I want to make you. You keep talking about making them equal. That's just one of many factors. As I read the call and what we established last session as to what the criteria was going to be in

drawing this map. One is the Voters Rights Act and Section 2 of the Voters Rights Act. This map does not - I don't even see an attempt to satisfy Section 2 of the Voters Rights Act. And I haven't heard any comments from no one at the table that they looked at that. All I'm hearing is this is one map and this is our map. But my problem is this is just not any map. You keep saying like it's just one of many map. This is the map that the speakers going to read. And so, the map that's lacking past the system. So, the other map you have to wait until we heard other maps. I can understand what you're saying that we have to - at least give us an attempt to try to work out these this concern. This is 33% of people. This is over 1.5 million people, and they're used to telling them. Oh, only thing we look at try to keep as equal as possible. We should look at lot more things than that. We should look at the voters.

TANNER MAGEE: Absolutely.

REPRESENTATIVE CARTER: I don't see that reflecting in this map.

CLAY SCHEXNAYDER: We have a responsibility to ensure that our plan with the laws and that's including the Voters Rights act. We risk a lot if we don't follow those laws.

REPRESENTATIVE CARTER: Well, Mr. Speaker, I really like you and I admire you. You're my leader but you forced me not to be able to vote for this map. Number one, it would be reckless to vote for a map that didn't take into consideration the minority population and an effort, at least make an effort to create another majority district. If you made an effort and you said, well, we couldn't do it for this for and for that, I know we have limitations, but does this map, for example, does it break into Parish up? Does this map break in the parish up?

[00:35:02]

CLAY SCHEXNAYDER: Yes, we split some parishes.

REPRESENTATIVE CARTER: And you agree that almost any map you do going to break some parishes up, okay. And this map, however, does not - there's no concentration on trying to get another minority district. This map was mainly designed to try to make all the districts equal in population as required by the federal government, but it's my understanding and I might be wrong. Does it have to be a deviation of 4% or 5% at most or is it as equal - has to be as equal as possible, would 4% be okay?

CLAY SCHEXNAYDER: Congressional has a different standard.

REPRESENTATIVE CARTER: Okay. As my understanding it does. What's that standard? Is it equal?

CLAY SCHEXNAYDER: It's close to zero as you can get.

REPRESENTATIVE CARTER: So, it's not 4%. Can't get away with 3% or 4%.

CLAY SCHEXNAYDER: No sir. It's a different standard for congress versus the other maps that we debate.

REPRESENTATIVE CARTER: So, all I'm saying is the map came along later after we have debate another maps, okay. And if have a chance to try to do something different, try to convince you to speak of - to try to make some changes in this map. But this map is the number one thing up here and it's put us in the position. We vote for this map. We forego the opportunity to study the other maps and because it's the speaker's map. And so, that's my problem. That's all I want.

CLAY SCHEXNAYDER: I would disagree with that. I think every map comes to this committee and gets a fair and equal hearing just like any do.

CHAIRMAN STEFANSKI: Thank you, Representative Carter. For question Vice Chair Duplessis.

VICE CHAIRMAN DUPLESSIS: Thank you, Mr. Chairman. Good morning, Mr. Speaker.

CLAY SCHEXNAYDER: Good morning.

VICE CHAIRMAN DUPLESSIS: And Mr. Speaker Pro Tem. I want just to start by acknowledging the challenges that are involved in this process. So, I don't come to this conversation thinking that any of this is easy. I have traveled a long side. Most of you all too. Every corner of the state throughout the roadshow and I heard a lot. I want to raise more of a procedural question first, and I think this goes to the chairman and that is whether or not we intend to take a vote on this today.

CHAIRMAN STEFANSKI: Yes.

VICE CHAIRMAN DUPLESSIS: Okay. Because that raises an issue for me. The level of significance of this Bill. As it's been pointed out by Judge Carter. The level of significance of the author of this Bill. Something this significant the fact that we would vote on it the first time we hear it. I think that's moving a little fast, personally, and I think that as a committee, we have time, we have the ability to have this conversation and I just don't see why we need to take a vote on it today. That's just me stating that I just want to make that comment.

CHAIRMAN STEFANSKI: Well, I'll comment on that since I made the statement. This was the first Bill filed in the house. The filing period is open there's no deadline or blocking anyone from filing maps. The speaker filed his. It's met all the house rules. There was no suspension of rules to get us here. We're here. We got 20 days to accomplish our goals, the maps public. I don't see any amendments proposed. So, for me, I'm satisfied that we've had an opportunity to look at it. I hope my members have prepared themselves. I know the speaker is prepare and I'm prepared to debate and discuss today. From the Chair's perspective, we're not rushing anything. We're going according to the rules. Bill's been posted and here we are, let's vote.

VICE CHAIRMAN DUPLESSIS: I appreciate that perspective and I know we'll all be ready to do what we have to do when it's time to vote, but it's more than just, at least the way I look at it. It's more than just members commenting. It's also giving the public an opportunity to weigh in on legislation that has been filed. I realize this legislation has been posted for a few days, but given the public and opportunity to come to that table, to comment for us to hear it, for us to receive it and then for us to

still debate amongst ourselves. This is going to guide this day for the next 10 years. This is very important stuff.

TANNER MAGEE: Representative Duplessis, are you disagreeing that the public notice requirements have not been satisfied?

VICE CHAIRMAN DUPLESSIS: Not at all. All I'm suggesting, Mr. Speaker Pro Tem is that I don't see why we have to take a vote today. I don't see why. I know that all the public notice requirements have been met. I'm just highlighting the gravity of this matter. I'll move on. I will move on from that. It was said several times, Mr. Speaker, that this is just one attempt. This is your attempt. Several maps were submitted by the public as it relates to the Congressional Bill or the Congressional map.

[00:40:04]

My question is, did you have an opportunity to review any of those other maps that were submitted by the public?

CLAY SCHEXNAYDER: I didn't get into detail at looking into them but I did. I did look over some of those maps, yes.

VICE CHAIRMAN DUPLESSIS: Okay. Is there any particular map that you like more than the other? Is

there any particular reason why you went with your map versus some of the other maps that were submitted?

CLAY SCHEXNAYDER: To me, strictly on looking at the conversations I had with legislators here in this body and being on the roadshow and hearing the information that I've heard there, this was my attempt and only my attempt.

VICE CHAIRMAN DUPLESSIS: Okay, because what I heard on the roadshow which was consistent with most of the testimony that's in my packet, most of the emails I've received over the last several weeks and months is that our current makeup, congressional map makeup does not reflect this state. And as I look at your proposal, I'm trying to see how that's in line with what we've heard from the public because I don't see that reflected in the map. So, I'm just trying to get a gauge on how you came to decide that your map was better than the maps that have been submitted by members of the public that I think may have been a little bit more in line with what we were hearing on the roadshow which was that this state is currently not adequately reflected in our congressional maps. The fact that we have 33% African-Americans in the state but we only have one opportunity, one district,

there's no other opportunity for residents, citizens, voters in other parts of, if you're not in congressional District 2, you don't have an opportunity to vote for your candidate of choice. I don't see that reflected in your map so I'm just trying to understand how you had gotten to the point of saying that your map is better than those.

CLAY SCHEXNAYDER: I think we've attended those roadshows. You and I were in the Orleans Roadshow. We were there. We listened to that information and how me and you and everybody else interpret those types of information is one thing. But the information that I took back from all of the roadshows, watching them looking at them, emails just like you got, this is just my attempt to be able to put together a map that best represents Louisiana.

VICE CHAIRMAN DUPLESSIS: Okay. Do you believe that we should have two Black seats? Maybe that's not the way to ask. Do you believe that we should have at least two seats where Black people in this state can select the candidate of choice?

CLAY SCHEXNAYDER: I believe this. I believe that we go through this process to give everybody a chance to have whichever map they want. This is just my attempt.

VICE CHAIRMAN DUPLESSIS: I understand. So, throughout the Redistricting Roadshow and throughout this process, I think we all learned a whole lot as it relates to federal law and requirements especially under the Voting Rights Act. Do you believe that your map is complying with the Voting Rights Act?

CLAY SCHEXNAYDER: I think we took that all into consideration in this map.

VICE CHAIRMAN DUPLESSIS: So you believe that every attempt was made to give the people of this state the opportunity to select a candidate of choice?

CHAIRMAN STEFANSKI: I don't think Mr. Speaker is going to comment on legal analyzations.

VICE CHAIRMAN DUPLESSIS: But our bill does need to be legal, does it not?

CLAY SCHEXNAYDER: I think it does.

VICE CHAIRMAN DUPLESSIS: Okay, all right. I saw it recently and I'm not sure if you had an opportunity to see this Mr. Speaker that the state of Alabama, they recently went to the redistricting process and 27% of the state of Alabama is African-American. But recently, the federal courts deem their map to be insufficient and said that they should have at least two districts in their congressional map

that people of color, African-Americans in particular, had an opportunity to vote/select the candidate of choice. Their maps were struck down. Were you aware of that recent decision by the Alabama --?

CLAY SCHEXNAYDER: I had seen it but I hadn't looked into the legal side of it of why it was struck down. Was the process flawed, whatever it was, I didn't look into that.

VICE CHAIRMAN DUPLESSIS: Okay. And that's why I raised the issue in terms of whether or not - I know we're not in a court of law right now.

[00:45:00]

We're trying to make a policy so I can't ask you to make a legal determination, that's for the judges to decide. And if that's where this is going, I don't know. I really hope it doesn't. I want us to be able to put a map forward that looks like the state of Louisiana and kind of following up a little bit about what Judge Carter was saying earlier. He mentioned the infrastructure bill and how people vote on certain things. But some of the stuff I heard on the roadshow, it really, really spoke to me. Particularly, I'll bring up a situation at Lake Charles. Those folks were down there struggling still

from Hurricane Laura and one of the comments that was made the very beginning of the meeting, the gentlemen came to the microphone and he says that, "To my congressman, I don't even matter." He said, "I don't even matter." And if that didn't affect the people who have to decide on these maps then that is grossly problematic. So if we're not working to give people like that gentleman a greater sense that his voice matters then we're failing the state and I just don't see how we do that Mr. Speaker with all due respect. I don't see how we do that by not drawing maps that at least have two opportunities for people of color, Black people in particular, to select a candidate of choice. I don't see how we do that. So I will end my comments there Mr. Chairman. I do appreciate you. I appreciate you Mr. Speaker and I respect you and you too, Mr. Speaker Pro Tem. But I want us to try a little bit harder in this effort as we go through this process because I know this won't be our last conversation regarding this matter. But I do thank you all for your time and thank you so much.

CHAIRMAN STEFANSKI: Thank you Mr. Vice Chair. For a question, Representative Bourriaque.

REPRESENTATIVE BOURRIAQUE: Thank you Mr. Chairman. Thank you Mr. Speaker and Mr. Speaker Pro

Tem. In the beginning, in the introduction, you were talking about the keeping the precincts whole and another, I think a follow-up question was about splitting parishes. This is really in regards to communities of interest. I've seen on the roadshow a bunch of different maps and some of them were decent, some of them splitting things all over the place, some of them - Acadiana was split in half and one of them, Lake Charles and Iberia in the third congressional split. What kind of attention did you all get from a communities of interest standpoint? Because it looks like this map accomplishes that but I'm just curious for some input from that standpoint.

CLAY SCHEXNAYDER: We took all of that in consideration in this bill.

REPRESENTATIVE BOURRIAQUE: Thank you.

CHAIRMAN STEFANSKI: For a question, Representative Lyons.

REPRESENTATIVE LYONS: Thank you, Mr. Chairman. Mr. Speaker, I commend you on your efforts and this is a lot of work that's been put into this and I go back to the roadshows that we were on because I had no idea first of all how beautiful the state would be traveling across it but the people made a difference in their comments as it pertains to how they wanted

1 to see the districts outlined and how they wanted to
2 really come forward and make testimony about what
3 they feel. And listening to the comments here,
4 there's three things that stand out for me. The first
5 one is the fact that as the public do deserve an
6 opportunity to weigh in on these maps and the weight
7 as Representative Carter talked about, this is your
8 map, this is your bill. This is the big dog in the
9 house so to speak. It's the one that has a lot of
10 weight to it. And as you alluded to earlier, there
11 are several parts to attribute to putting together
12 not the perfect map but the map that we all can agree
13 upon. But in your testament, this is your map, this
14 is your thoughts, this is your process. So the
15 question is, how did the rest of those factors become
16 a part of, not just your map, any other map if the
17 first one out the gate is gone, is out there. There's
18 going to be members who, when we get to the floor,
19 let's assume this bill does get to the floor, have
20 amendments. Will at that point in time you be open
21 and accessible to allowing those members with those
22 conditions that don't exist in your map? I mean, you
23 outline the ones that you talked about and there's
24 more. When we talk about communities of interest, I
25 understand that the people of middle of the state of

Alexandria area had similar conditions or concerns as the people in East Baton Rouge as the people up in Tripoli area but that doesn't mean that the alignment of the districts have to be characteristic of what in those districts look like.

[00:50:10]

But nonetheless, those conditions do exist. So what is the process that you would see that would allow all the other conditions to be formulated into this map?

CLAY SCHEXNAYDER: Well Representative, thank you for the question and I think you know as well as anybody that I am always one that wants to go through this process the right way. And that's why we're here, right? That's what mean you got elected to do to come here and work for the people of our districts. That's what we do. And I think you know in the past and even now presently as we move forward that you have every opportunity to come to me and sit down with me and talk to me about this. You have the opportunity to put amendments on. You have the opportunity just like we do on every map that comes forth. Everybody in here has a voice to be able to do that. There will be a process that we follow that we've done so far to get this bill to where it is

today and we will follow that process throughout the whole way of this bill.

REPRESENTATIVE LYONS: Okay. I appreciate you being candid with that point. And as we get the other maps file, that's going to be coming through here. Some of them may or may not make it out of here. This one may not make it out of here but the point is, if this one gets out and the others don't, will those concerns be subject to consideration as amendments when we get to the floor?

CLAY SCHEXNAYDER: Like I said, what we do in this process that my door is always open for you to be able to come in there, talk to me, have conversation, all of you. I don't think my door's ever been closed for any legislator to be able to come in and have that conversation. You will be able to file amendments just like everybody else in here.

REPRESENTATIVE LYONS: Okay. Well, you answered my next question but that's all I have. Thank you, Mr. Speaker. Thank you Mr. Chairman.

CHAIRMAN STEFANSKI: Thank you Representative Lyons. For a question, Representative Newell.

REPRESENTATIVE NEWELL: Thank you very much, Mr. Chairman. Good morning, Mr. Speaker and Mr. Speaker Pro Tem. I just needed to state my hesitation with

the map because this is the first time that we've had a bipartisan conversation. This is the first time I have been a part of any bipartisan conversations on any maps that we are going to vote on. Granted this was posted within the public meetings requirements and met all of those requirements being posted on time enough for us to see, enough for the public to see it. However, unlike any other bill that we had in the committee, we can't change this later. We can put amendments on but if we see that there's something wrong later, we can't come back and change this. Any regular bill, we can fix it up in a special session. If we add it to the call or in the next regular session, we can't do that with this one. And then going back just to state --.

CHAIRMAN STEFANSKI: Representative Newell, just for clarification, it actually can be changed. It can be changed at any time. There's just the mandate every 10 years that we have to.

REPRESENTATIVE NEWELL: Yes, which is not as easy as changed.

CHAIRMAN STEFANSKI: I won't disagree with that. It's not as easy. Okay.

REPRESENTATIVE NEWELL: Exactly. So it's not just an old snap fixing, we're done. You made me miss my

next point. And again, also with the authors of this bill, this is not just a regular bill that is submitted. This is your name, the Pro Tem's name and the chair of this committee and we have a whole another session that we have to go through this year which was also give folks either pause or influence for either voting forward or voting against it thinking about later. I just have to be honest with that. You have always been a friend to me and expressed in the very close past. You've been a friend to me but that doesn't extend to everyone and that gives me hesitation. I wish we would have had or could have a little bit more time to work on getting this bill out of committee and getting this bill off the floor but it does not meet everything that we've heard as a concern from our constituents, from the north to the south of this state.

[00:54:54]

It has been asked several times when you were creating this attempt of this map, was it taken into consideration or was there an attempt to find a way to draw a second minority-majority congressional district? And I'm sorry. I did not hear a yes or no. Some of my constituents like plain English just like me and I didn't hear. We try but it wasn't there. So,

could you Mr. Speaker who I'm speaking to tell me if it was, if you tried or if it was brought up in your conversations when you were drawing your attempt at this map that we're talking about right now.

CLAY SCHEXNAYDER: I think with all the information that was gathered from the roadshows, gathered from members who had set down and had conversation with me about putting the map together, I think everything that was on the table was in consideration across the board.

REPRESENTATIVE NEWELL: So, with all of that that was being --.

CLAY SCHEXNAYDER: This is just one attempt. We have multiple bills --.

REPRESENTATIVE NEWELL: I know but this is yours and you're not understanding it. This is your map and we have to vote on it and we have two more years to work with you. And I need to know what your thought processes were with this. And I think some of my other colleagues would like to know that as well to make them comfortable however they vote for this map. Yes or no. Because you are the speaker.

CLAY SCHEXNAYDER: Yes, ma'am.

REPRESENTATIVE NEWELL: You know, I love Les but this is not Les' bill. You know, I could nicely say

no to Les' bill and not feel like my political career might be in jeopardy.

CLAY SCHEXNAYDER: I'm telling you that this is one expression of multiple bills that are coming, whether it's my bill, whether it's the chairman's bill, whether it's Representative Carter's bill. Who's ever bill it is, all of them will be given the same consideration as we move forward. That's the process that we are given. That's the process that we go through all the time.

REPRESENTATIVE MAGEE: Ms. Newell, I'd also like to add that from my perspective, I would never want you to vote for anything that you weren't comfortable with. If you're not comfortable with the bill, you don't vote for it. And I say that meaning that nobody should ever put you in a position for if you don't think it's a good piece of legislation and if the speaker and I'm saying sitting next to him ever made you feel like that, I would tell him he was wrong and I would resign from my position as Speaker Pro Tem if he continue to go down that path. My point being is, this is an attempt. It is the beginning of a process. I know in conversations with the speaker conversations with all members on this process that everything can be considered at any given time. We

are open to any idea, any alternative as we go through the process including this map, other maps as it works its way through. I don't believe there will be any and I not only believe, it would be my sincere obligation in my position to make sure that nobody feels that put in uncomfortable place on how they vote. Every member of this committee and every member on the house floor and the senate should vote what they believe is the best map and only a map that they believe in. If they don't believe in a map, do not vote for it for any reason and that's my feeling and I would share that with the speaker. I'm doing it publicly just because you raised the issue but that's my position 120%. So I want you to feel that level of comfort that people on both sides of the aisle would support you in your ability, in your desire to not vote for the bill if you do not like it.

REPRESENTATIVE NEWELL: I'm glad you said that on the record.

CHAIRMAN STEFANSKI: And I echo. Look, and my name is on it too. I echo the same sentiment. Everybody has to make their own choice on what they support and should not feel pressured to do something based on what will happen in the future and that I firmly agree with Representative Magee on that.

REPRESENTATIVE MAGEE: Look, this is not a fun process. If the public is listening in, I would wish that we could create a map that made every single interest happy. I think you would agree with me Representative Newell. I like to make people happy. I do not like to make people unhappy. I don't want people to be mad or upset with me or anybody, not just the members. I'm talking about the general public. I take those ugly emails to heart and I spend too much time thinking about them. I know you do too because me and you --.

REPRESENTATIVE NEWELL: Yes, we both do and I don't expect for 100% because as I mentioned before, 100% I'm going to think somebody's lying somewhere or doing something wrong. So I'm not going to ever ask for a hundred percent but in this one, this is just one part of the puzzle that I was asking about is if it was an attempt for a minority-majority district and the numbers weren't there, if something was missing to accomplish that and that's all I was asking.

[01:00:03]

And I just needed to get some clarity and Mr. Speaker addressed it and I thank you very much.

CHAIRMAN STEFANSKI: Thank you Representative Newell. For the second question, Representative Carter, I want to ask that you maybe keep it brief.

REPRESENTATIVE CARTER: Okay. Thank you, Mr. Chairman. I wanted to move to pass the bill to another date in the committee because of this. I don't think the bill complies with equal opportunity for the members on the other side to amend the bill.

CHAIRMAN STEFANSKI: In what way Representative?

REPRESENTATIVE CARTER: It is my understanding, first of all, the bill was read on Wednesday for the first. They introduced Wednesday. It was at that Wednesday introduction, we will advise that maps will not be amended on the floor. So we can't amend anything on the floor.

CHAIRMAN STEFANSKI: That wasn't the instructions. It was a timeliness. And actually, we have a house rule in this committee that it's supposed to be 24 hours and we actually reduced that 24 hours down to a lesser time to give more people an opportunity.

REPRESENTATIVE CARTER: Okay, I might have heard wrong but I heard that if you want to amend in the committee, you got to give 24-hour notice.

CHAIRMAN STEFANSKI: That's actually a house rule. So, the house rules state that amendments must be done 24 hours in advance.

REPRESENTATIVE CARTER: But I was under the impression that we could not make, because of the extensive nature of these maps and all the stuff and how much time it would take, that we wouldn't be permitted to make an amendment on the floor of a map.

CHAIRMAN STEFANSKI: Of the day that we're debating it. Yeah, but on the floor, there is a timeline the day before that you need to start working on them. That's all we put in.

REPRESENTATIVE CARTER: All I'm saying is that I didn't - if the bill was introduced on Wednesday, it was read the second time yesterday and assigned to committee, when do I have a chance in committee to amend the bill if I didn't get it? I really didn't get it until Wednesday and it's Friday now. I don't have the 24 hours between the bill being filed with the committee and being reheard in the committee to prepare the map.

CHAIRMAN STEFANSKI: No, I understand. Representative, it was posted. When the bill was posted, there was a deadline of 5:00 to submit amendments yesterday.

REPRESENTATIVE CARTER: Well, all I'm saying is, there should have been more time allotted given the complexity of this bill. It would have required doing amendment. It's not fair for a member to have to vote on the speaker's bill knowing you're not going to amend it on the floor. You can't amend it on the floor.

CHAIRMAN STEFANSKI: You can amend it on the floor. There's a process for it. That's why I'm just trying to clarify. I don't want to argue. Representative, there is a process for amending a committee. There's a separate process for once the bill is scheduled for the floor on a time where you can file amendments on that as well. What we were asking is that --.

REPRESENTATIVE CARTER: I'm asking you Mr. Chairman, just tell me when. Can I do an amendment on this bill tomorrow because it will be reported in today and it would be read for the third reading? When? Monday?

CHAIRMAN STEFANSKI: If this bill gets enough votes to make it pass today and is scheduled for a floor, any time after today, you could start preparing an amendment.

REPRESENTATIVE CARTER: But it has to be before it's called up on the third reading.

CHAIRMAN STEFANSKI: It just has to be a day before it comes on the floor so that staff has the time to make sure that it's prepared correctly.

REPRESENTATIVE CARTER: Why does that staff going to do that unless we work Sunday? I don't see how that's going to happen unless I have at least until Monday, unless the bill don't come up for filing a pass just after Monday. Because I understand what you're saying that there's some time but practically speaking after today, if you don't do it tonight or by tomorrow morning, it can't get done. It's physically impossible unless you make staff work Sunday and prepare it Sunday because Monday, it's going to be up for third reading for final passage.

CHAIRMAN STEFANSKI: And staff is prepared to work over the weekend. We are scheduled for a 20-day call where every member should be prepared to work every single day. There's no givens that were taken off weekends. This is, we're in session 20 days. Everyone's here should be prepared to work.

REPRESENTATIVE CARTER: All right, I'll just look at the schedule. The schedule don't reflect that.

CHAIRMAN STEFANSKI: Thank you, Representative Carter. For a question, Representative [PH 01:04:36] Bobby.

REPRESENTATIVE BOBBY: Thank you, Mr. Chairman. A couple points of clarification, please. Was this bill filed prior to the February 1 session start or was it filed on February 1?

CHAIRMAN STEFANSKI: On February 1 but before the convening of the body, yeah.

[01:05:00]

REPRESENTATIVE BOBBY: Okay, so effectively, it was published online on February 1. Was there anything that would prevent the members on this committee starting when that was filed to actually begin the process of drafting amendments for this committee hearing or even the floor hearing?

CHAIRMAN STEFANSKI: No, staff was here and ready to work.

REPRESENTATIVE BOBBY: So, there's been ample opportunity for anyone who wanted to pursue amendments to do so in the timeframe given so far?

CHAIRMAN STEFANSKI: In my opinion, yes.

REPRESENTATIVE BOBBY: Okay. So, I want to point out a couple things. Maps have been presented to us for months and the speaker took it upon himself, him

and staff. That's not an easy thing to actually produce a map. I believe that it's a great map from the standpoint of - it's a map that just tries to work with what we already have and so, maybe it's a backstop type option. And so, there's opportunity for creativity and all the other options that we've already seen and maybe new ones that were seen or offer amendments to improve what the speakers brought. My point is, we just had a lot more maps filed yesterday and we've all had the opportunity. I mean they've had the maps from the organizations who've done a lot of work to actually produce maps that have two majority-minority districts could have been filed in advance. I mean, we've all had them but they weren't until yesterday in the house. And so, I don't believe there's any need to impede the process. There's a whole another side that anything that we pass out of this committee. If it gets off the floor, it starts to go to the senate. And then their maps, they cross over here so there's no need to impede the process. And just because of the conversations around whether or not the publics had ample opportunity or not, I don't believe is legitimate because anybody could have filed one of these maps and I do believe we need options. In seeing the different options that

I believe were us working together can maybe come up with a more ideal map. We need the variety and I think to help us in that process. So, thank you and I don't know if there's a motion on the floor to defer but if there is, I'd like to make a substitute motion.

CHAIRMAN STEFANSKI: Okay. Thank you Representative. We'll address that after we get through the questions. For a question, Representative Johnson.

REPRESENTATIVE JOHNSON: Mr. Chairman, if I understand, the reason why we put a special rule - wait until you listen. The reason why we put the special rule that you need to submit map changes in for a period of time before the meeting is to address the very same thing that Representative Carter is expressing a concern, is that it gives us an opportunity as opposed to a member showing up with the new map on the committee the public not having an opportunity and the committee not having an opportunity. Isn't that the purpose of the rule?

CHAIRMAN STEFANSKI: Absolutely. And actually again, I'll reference it again. The house rules are 24 hours. We put a timeline yesterday by 5:00. So

less than 24 hours to give even more of an opportunity.

REPRESENTATIVE JOHNSON: And if that means, we have to stay up a little later and read this, that's what we do as members and I assume that's what the public, I want to address a couple of comments because it's foreign to what I've seen. Mr. Speaker, you either were at or reviewed every single one of those roadshows, didn't you?

CLAY SCHEXNAYDER: I did.

REPRESENTATIVE JOHNSON: And in preparing this map, you sought to be fair and legal in the composition of what you came up with.

CLAY SCHEXNAYDER: I did.

REPRESENTATIVE JOHNSON: And I noticed that there were several parishes including Rapides Parish that is more whole than it was before. And for that, I appreciate that and some of the criteria. You always had an open door policy with people talking to you.

CLAY SCHEXNAYDER: Always.

REPRESENTATIVE JOHNSON: In fact, there's always a line of people to go into your office, isn't it?

CLAY SCHEXNAYDER: I've been told that it's open more than it ever has been before in the past.

REPRESENTATIVE JOHNSON: And so, to imply that you just popped up with this map overnight and didn't give anybody an opportunity to have an input or discussion is unfair.

[01:10:00]

Would you say that? I know you may not say but that's the impression I get.

CLAY SCHEXNAYDER: I would say that any member in this house who feels that door is not open to them then I need to go to him and talk to him. But I can tell you that just about every member in this house has come in there multiple times and had conversations with me on multiple different issues.

REPRESENTATIVE JOHNSON: And your map, your congressional map I think was the first one that any of us had an opportunity to review and I had opportunity to take that enough time to talk with people in my district, talk with business leaders so it's not like it's been rushed. So any implication that it's been rushed or shoved down our throat, I simply didn't find that to be the case here. If you're here today, you don't have a time limit on how long you're going to answer questions, do you?

CLAY SCHEXNAYDER: No sir.

REPRESENTATIVE JOHNSON: So I want to tell you, thank you for the effort you put in here. It's a difficult task and I'm just concerned that it not be categorized as a rush or that we didn't have an opportunity to review it because that's just not true. So, thank you.

CHAIRMAN STEFANSKI: Thank you, Representative Johnson. Members, that clears the board. Mr. Speaker, you'll see the table. I'll get to the cards. Filling out a card in support and would like to speak Mary Susie Labry.

MARY SUSIE LABRY: Yep.

CHAIRMAN STEFANSKI: Yes ma'am. I also invite up filling out a card in support and would like to speak Jennifer Kerrigan. I will invite both of you ladies to come up and speak.

MARY SUSIE LABRY: Are you ready?

CHAIRMAN STEFANSKI: Yes, ma'am. Whenever you're ready.

MARY SUSIE LABRY: Okay. Mr. Speaker, I hope you hear me because I want to compliment you on the work. Well done on that map. It didn't take me long at all to study that. I mean, it was beautiful I think. All I want to say is not too many things is number one, I want to stay around common interest. I have more

interests than just one interest. My interest is eating. I like to eat and I like to wear nice clothes. And I want to stand for the congressional District 5. That's where Julia represents and Senator Warnock and so forth. Because these are our rural people, these are farmers, small businesses, there are a lot of Black people in that district who I stand for and represent because they're small farmers, small businesses. These are the hands that feed us. There's also family inheritance. What I am seeing is urban versus rural. I had been seeing that since the days of Jack Kennedy and Huey Long and Gemma Davis and so forth and it's kind of disappeared and now it's coming back again. Urban versus rural. This destroyed the movie industry with the tax credits and so forth even though it's --. We need to keep the state united and to keep the integrity and number five, the way the speaker showed and in a way some others showed. I am a woman and I like to eat and I like to support the farmers and I'm rural and I just want to say to keep that in mind and not to split districts and splits inside of interest and to keep the state united in considering this and stand up for all small work and people and businesses and farmers and property owners too. We don't want to tax

the property owned as out of business and inheritance tax and so forth. Thank you.

CHAIRMAN STEFANSKI: Thank you. Thank you so much for your comments and I like to eat too.

MARY SUSIE LABRY: Yes. We have a lot in common.

CHAIRMAN STEFANSKI: Thank you, I appreciate your comments. Please. Name and continue.

JENNIFER KERRIGAN: Should we wait for people to return?

CHAIRMAN STEFANSKI: No. I think we're going to ask you to provide your comments. I think we have a quorum.

JENNIFER KERRIGAN: Do we? It's hard to tell.

CHAIRMAN STEFANSKI: We have a quorum. We are at a bigger room and members do have to step out from time to time so please proceed with your comments. Thank you.

JENNIFER KERRIGAN: My name is Jennifer Kerrigan. I live in Covington, Louisiana. I did want to speak about a couple of things. As a member of the public, I wanted to speak to some of the concerns that you raised. I think they were good. I think it's really important that they get responded to. Many of us were aware of HB1. We were able to do the research. We were able to look up the map and consider it. We were

able to take full participation in research and consider all of the different maps and possibilities.

[01:15:10]

We were also able to talk over whether we wanted to be here today. We were able to think about whether we wanted to comment on this bill. So, the timeline didn't stop the public from being here. In fact, those of us who chose to not be here didn't choose to be here because we have such confidence in this system and in our representatives and in the fact that you know how we feel. We know that you will represent our beliefs, our feelings, our thoughts, because we communicate so well with each of you. But I am glad that I made the trip here today because I have looked at those maps and I have some real serious concerns about a couple of them. I heard a lot of comments about minority representation today and I want to speak to one of those concerns. I'm a woman. It's not hard to see. Did you know that women in congress are a minority from Louisiana? Did you know that one of those maps reduces that representation? I noticed. That bothers me immensely. I don't understand how that is okay. I don't understand how it's okay to take away from my representation in congress as a woman to better

1 represent another minority. I want you to think about
2 that. I know that's uncomfortable. And finally, I
3 want to comment on one other thing. I was a little
4 surprised to hear some of the statements that were
5 made in this room this morning. I was uncomfortable
6 to hear any comments regarding previous voting blocks
7 and support made in response to the speaker's
8 support, non-support so I'm going to just say this.
9 I've never known this speaker to be that kind of man.
10 Matter of fact, there's a lot of conservatives in
11 this state who sometimes have been antagonistic to
12 the speaker. All you got to do is look at the
13 headlines. He's not known to be like a one party guy.
14 He's actually known to be a guy who works well with
15 both parties. I think everybody in this room should
16 feel really comfortable that he's going to work with
17 everybody. I feel like this is an amazing process. I
18 feel like it should represent all the state. I hope
19 that everybody in this room feels that way. It should
20 be balanced. And when I look at that map that's been
21 submitted with HB1, I see what looks like something
22 that follows as many other rules as possible and I
23 think that's the way it's supposed to be. And I
24 really thank you for the diligence that's been shown.
25 Thank you.

CHAIRMAN STEFANSKI: Thank you. Filling out a card in opposition and if you feel comfortable coming up a couple at a time, that's fine. If you do not feel comfortable coming to the table with other people, I just want to make that clear, do not feel like you have to. But I'm going to read three at a time since we have three seats. First, we have Reverend James VanderWeele, we have Sherry Thomas and we have Michael Pernick all three filling out cards wishing to speak. Again, however you feel comfortable coming up to the table, we'll do it in that order. Good morning, whenever you're ready. Yes, sir.

REVEREND JAMES VANDERWEELE: Good morning. My name is Reverend James VanderWeele. I am not originally from Louisiana although I love it here. I am now retired in Baton Rouge. I served a congregation in New Orleans for 15 years. I grew up as a child listening to LSU football. I've been an LSU fan for years. It's nice the Clear Channel in bringing in football into the Midwest the way it does. I love this state, but one of the things that I think of with regards to the debates that I'm hearing today is back when I was a child. I used to get into a lot of fights. Somebody who looked at me wrong or said something wrong and I got angry and I was

fighting. And sometimes I went to my father and my dad would always sit me down and he would say, "Jim." I know my name is James but Jim works just as well.

[01:20:01]

He would say, "Jim, have you ever thought of their side of things?" And here's the thing that I need to point out to everybody in this room. Please consider the way things have been for years in the State of Louisiana and please understand that you have a population that is one third of the population of this state and it is asking for more representation. It is asking for an opportunity to vote for someone who pleases them. Please my friends, all of you, let's look and let's hear what the other side has to say and see if there is a way to make a concession that is pleasing to all of the people of Louisiana. Thank you.

CHAIRMAN STEFANSKI: Thank you Mr. VanderWeele. Ms. Thomas?

SHERIE THOMAS: Good morning, Sherie Thomas.

CHAIRMAN STEFANSKI: Good morning again. Whenever you are ready. I apologize.

SHERIE THOMAS: A private citizen today. I have lived in this Parish of East Baton Rouge for the last 24 years. I'm a chronic voter and I have voted also

for the last 24 years in the parish. And with this map, it appears to not center the voices of the disenfranchised community of color. Also, too, I want to reiterate that the need for the community today to vote on the map that dilutes the minority vote. The numbers are there and it is apparent from the census numbers that there is a possibility for a second minority district that would include people of color. There are many people that are tuning in across the state and I do understand that there has been a short time. And so while the public is not here, they are definitely tuning in and they're definitely engaged to what we're doing on this actual topic and they know we do have an obligation to go to the polls and it's not that Black and brown people don't vote, it's just that the influences of the racist in the district that we have do not depict what is there. So, the map that we have for Representative Schexnayder is not exploring the possibilities of a second minority district. And so, I would like you to implore the members of this committee to reassess the plan that's provided and there are multiple maps even that have been submitted by power coalition, by the NAACP, by ACLU. So, those maps should be looked at in detail because he did state that he glanced at them.

They should be looked at in detail and considered in drawing a map. Thank you.

CHAIRMAN STEFANSKI: Yes, ma'am. Thank you. Oh, I apologize. Representative Jenkins if that is a question of just take one. We have two - and I really apologize. We have two questions Representative Jenkins. I just noticed Representative Ivey has a question first. I apologize.

REPRESENTATIVE IVEY: Hello. I'm sorry. What's your name?

SHERIE THOMAS: Sherie Thomas.

REPRESENTATIVE IVEY: Sherie. I know I've seen you before on the road show and I appreciate your effort and I appreciate everyone's passion for trying to ensure that people are represented fairly and equitably in throughout this process and we all have different perspectives obviously on what that looks like. And it is so complicated to try, but the communities of interest are very important to me. And so I do have concerns when maps stretch clear across the state. How a community in the southern part of it is actually being represented in that district. And so there's a whole lot of challenges to try to come up with that second majority-minority district that doesn't also throw out some of those other also

priorities. And again, as we go through this process, I'm very eager to look at and I've looked at some of the maps not in the granular detail that is going to be needed but there may be some possibilities obviously and I intend to give those the same scrutiny as I give anyone. But in the event that after the process that it can't get that 50 plus 1 second majority-minority district. Let's say that there's an option that it creates more competition in another district maybe but it can't get to that 50 plus 1.

[01:24:58]

Is there any scenario in your mind where taking into consideration of the totality of circumstances that a map that doesn't produce those two majority-minority districts would be acceptable?

SHERIE THOMAS: What I'd like to say and what I don't like for this committee to do is to not rush on the vote. Let's look at it now. If there is no need to rush and vote today, let's not go back and try and fix it. Let's just look at it now before the vote.

REPRESENTATIVE IVEY: But then that would be this one committee's responsibility to produce a single map for the floor to consider. Is that what you're suggesting?

SHERIE THOMAS: But there is a single map that's going to be voted on today. Am I correct?

REPRESENTATIVE IVEY: What I'm saying is, if we kept everything in, would you suggest that we only send out one map for the floor to vote on?

SHERIE THOMAS: I'm suggesting that you look all the maps that were presented by the other organizations prior to a drawing.

REPRESENTATIVE IVEY: But we have. And throughout the whole process we have --

SHERIE THOMAS: But he glanced at them. I'm just going on what he said.

REPRESENTATIVE IVEY: Right. Again, I know that there's going to be a lot of - we've seen the authors of the other congressional maps. I'm presuming because I haven't had a chance to look at them yet. That many of them will be versions of what has been offered by the various organizations who have been working on this for some time. I would challenge any member here or anyone in the public who wants to be critical on the way a map looks. If you haven't personally put in the 50 to 100 hours, it's going to take to come up with one that mathematically works and tries to - I mean, it's not that simple. And so to presume that the speaker or any member should

pursue some more complicated challenging endeavor, I don't know if we should be able to put those requirements on other individual members. Again, the perspectives that you have been concerned about, those are being addressed in other maps. And so I don't know.

SHERIE THOMAS: Personally, I think there's a lot of I don't knows because there's a lot of people here that have not done this before. And so there's a lot of things that need to be considered and I just think that looking at all of the factors and not just some of them.

REPRESENTATIVE IVEY: Well again, this is a legislative process. And so I'm just going off--

SHERIE THOMAS: I'm very familiar with --

REPRESENTATIVE IVEY: My ten years of experience here, it can get held up on the floor. I mean, if the members don't want to send anything to the Senate then we won't. This body will have an opportunity to see those other maps in advance of anything on the floor. So we can send more things to the floor. Absolutely. Thank you.

CHAIRMAN STEFANSKI: Thank you Representative Ivey. We have a question for Representative Jenkins.

REPRESENTATIVE JENKINS: All right, thank you Mr. Chairman. First of all, thank you for being here this morning. I appreciate your testimony. And I keep my question pretty simple. We hear there are a lot of factors that go into doing the maps, we are not discounting that. My question is simple. Do you think that if Louisiana can create a second minority District that we should create that we should do it?

SHERIE THOMAS: Yes, most definitely without hesitation.

REPRESENTATIVE JENKINS: Thank you. Ms. Sherie.

CHAIRMAN STEFANSKI: Thank you Representative Jenkins for the question. Vice Chair Duplessis.

VICE CHAIRMAN DUPLESSIS: So I don't have a question. I do appreciate your comments. I think I want to just address an issue that has sort of been a theme I've been hearing from a few of my colleagues with respect to members ability to have read the bill prior to today and to have been able to offer amendments or considering other maps that members have may have been filed that we might hear in the future. The issue that I want to point out that I raised when I asked about timeliness or whether we're going to vote today or not really has more to do with my question which I raised to the speaker which was

why did he feel that his instrument was better than any other instrument. And I just want to just be clear about that. Yes, members have an opportunity to bring amendments. Yes, members have an opportunity to bring their own bills, but the question before the committee that I just want to put and I want to put again before the speaker who's the author of the bill, given everything that's been put up thus far, why is his bill better? And I just want to just frame that issue because we can't just keep saying, well, if you have an amendment, you can bring it or if you have a bill, you can bring it. That's not what we're discussing. We are discussing is the bill that the speaker has brought. So I want to just make that clear. Thank you.

CHAIRMAN STEFANSKI: Thank you. Mr. Vice chair. That's all the questions. Thank you, ma'am for coming. Next up, Michael Pernick

[01:30:00]

MICHAEL PERNICK: Good morning committee members, Chair Stefanski. My name is Michael Pernick. I'm a redistricting counsel with the NAACP legal defense and educational fund. Thank you first for all the work you're doing and for the opportunity to testify today as well. I want to be really, really clear

about this. House Bill 1 violates Section 2 of the Voting Rights Act. How do we know this? It's simple. We walk through the test that's been laid out by the United States Supreme Court in the 1986 opinion, Thornburg v. Gingles. We've done the analysis. There are three preconditions that you walk through. First is the minority community sufficiently large and geographically compact to constitute a majority in a second district. You only need to present one map. Our coalition of organizations has presented this committee with seven alternatives that satisfy that precondition. I understand at least a half a dozen different bills have been introduced so far, perhaps more because I haven't reviewed the House Bills that were introduced yesterday but I understand a significant number of bills have been introduced that satisfy that first precondition. Second is the minority community sufficiently cohesive and support for the same candidates. We know that's true. I'm sure everybody here who's run campaigns in the state know that minority voters tend to support the same candidates. And court after court after court in Louisiana have held that there's cohesion that Black voters tend to support the same candidates. And third, do the majority of voters, the white voters,

vote as a bloc tend to vote as a bloc to defeat the candidates preferred by the Black voters. And we know that's true in HB1. We've done the analysis and in five of the six districts, Black voters would have no chance whatsoever to elect their preferred candidate. Once those three preconditions are satisfied, you assess them to the totality of circumstances whether voters of color have less opportunity to participate in the political process. And there is overwhelming evidence using all of the factors that are laid out by courts that that is true. So we are very concerned about the violation of Section 2 in HB1. One other thing to keep in mind. When you look at all of the other districting principles that were the goals laid out by the speaker, the speaker pro tem. This is one of the worst bills that we've seen. On population deviation, there are deviations in the double digits, low double digits. Every single one of the seven plans that we submitted has zero deviation or deviation of up to one person. So, every single district in those seven plans was precisely at the ideal population or up by one down by one.

CHAIRMAN STEFANSKI: Let me catch you a little bit. How many precincts? Did you split precincts in those maps?

MICHAEL PERNICK: Those maps did split precincts Mr. Chair. They did. There are alternatives that are being introduced right now. I believe there's an amendment to a bill on the house side that has zero deviation and splits almost no precincts. I believe HB1 does split, I believe one precinct. So it's not perfect in precincts spots. On compactness, I know that's something that the committee is interested in is having compact districts. Of the ten maps that we've analyzed so far that have been introduced, this is the second least compact. The only one that's less compact is SB5 that Senator Hewitt's bill. This is the second least compact bill map on all of the commonly accepted measures of compactness. All of them. All of the other proposals - let me clarify that. All of the other proposals beat this on at least two or three, I believe five of them beat this on all three of the measures of compactness. Even on respecting parish boundaries. This isn't the best bill that we've seen. There's another bill that's more compact and splits fewer parish boundaries than this bill. So not only does the bill contravene Section 2 of the Voting Rights Act but even on all of these other goals that have been outlined, it falls short of the mark. So, I would urge members of the

committee to vote against it or at the very least hold it over for another day or two so that everyone has an opportunity to consider the legality and consider amending this bill before sending it to the floor. Thank you. Happy to take questions.

CHAIRMAN STEFANSKI: We do have questions from Representative Ivey.

REPRESENTATIVE IVEY: With regard to the preconditions, the minority voting bloc and specifically geographical compactness, what insight from your perspective could you provide on what the courts look to as geographical compactness in a minority voting bloc because obviously we're not talking about other maps but since you've referenced alternatives?

[01:35:03]

One of Senator Fields and many of the maps that provide for that second majority-minority voting bloc, they stretch from very northern border of Louisiana, Monroe, and all the way down to East Baton Rouge Parish. And so, would you consider that geographically compact?

MICHAEL PERNICK: Thank you Representative Ivey. I'm really glad you asked that question. And I've heard you say numerous times that the best way to

1 look at this is by the numbers. We look at the data.
2 And we don't use an eyeball task to evaluate
3 compactness of districts, we use objective measures
4 that are commonly accepted from political scientists,
5 demographers. There are measures called the Reock
6 Score, the Polsby-Popper Score, the Convex Hull
7 Score. These are commonly accepted measures of how
8 compact --
9 REPRESENTATIVE IVEY: By advocate groups or the
10 courts?
11 MICHAEL PERNICK: No, no, by courts.
12 REPRESENTATIVE IVEY: By courts. Okay.
13 MICHAEL PERNICK: Absolutely. These are commonly
14 accepted by courts, political scientists, people far
15 smarter than I am who do this professionally and real
16 demographers. This is what they use to measure
17 compactness of districts. And based on those numbers,
18 based on those measures, there are I believe six
19 bills that have been introduced that we've assessed
20 on the senate side that are more compact than HB1 on
21 all of those measures, on all of those measures. I
22 believe the bill that that you're referencing it
23 maybe SB16 which has that one district that extends
24 northward. It's more compact on two of those three
25 measures. We are preparing --

1 REPRESENTATIVE IVEY: And that's a comparative
2 analysis. And so we might be comparing something that
3 isn't really very good to something else that maybe
4 just a little bit better. So again, I will agree, the
5 map that the speaker has drawn is based off of where
6 we are now which again ten years ago whenever it was
7 - what I've you know draw on that map from scratch
8 probably not. And so anyway, I think was a great
9 effort to shift the population from where we were.
10 That said, what do we lose if we are only looking at
11 those scores? If we're only looking at some of that
12 data, I think we could be missing out very possibly
13 on the communities of interest that are going to be
14 absolutely split. I mean how do you all make sure
15 that that doesn't happen?
16 MICHAEL PERNICK: Representative Ivey, there are
17 other alternatives that have been introduced that
18 have two majority bloc districts and splits fewer
19 precincts.
20 REPRESENTATIVE IVEY: No. I mean, communities of
21 interest. Like, you've got Rural Louisiana, you got
22 Urban Louisiana. There's a little bit of commonality
23 but their needs are very different. And so to the
24 extent that regionally and also some of those larger
25 more fundamental issues that are representatives in

1 congress focus on, it's kind of hard to be very urban
2 and very rural. You know I'm saying? Versus a more
3 compact rural representative district. So, how do you
4 not consider some of these other communities of
5 interest or how do you prioritize that in your
6 process?
7 MICHAEL PERNICK: Absolutely, representative.
8 That's a great question. And there are always going
9 to be trade-offs. As you all are grappling with, as
10 you're considering the maps, there are always going
11 to be policy decisions and priorities to trade off.
12 One of the reasons that we as a community of advocacy
13 organizations work very hard to present you with
14 seven different options that were legally compliant,
15 was to make it easier for you as the elected
16 officials who understand your community's best to
17 weigh those trade-offs and take elements from
18 different bills, work them in together to develop
19 that optical map, develop that best path forward. The
20 point that we are focused on and that we're making,
21 is it possible to do that while preparing a legal map
22 and ensuring that voters of color, Black voters, have
23 that equal opportunity to elect candidates of their
24 choice. And that's why it was important to us to draw
25 seven different alternatives. If there are specific

priorities that are most important to you that you want to try and achieve, certain communities that you want to try and keep together. I'm sure that there are folks on staff and we would also be happy to work with you to try and figure out a way to do that that complies with Section 2, but there are many different ways to do that that's why we presented seven options. I understand there are other options that achieve that goal that have been presented by members of the community. And many of those options are more compact, preserve parishes better, have better population deviations, there are alternatives that do not split precincts. So whatever goal it is that's most important to you, we believe there's a way to achieve that goal.

[01:40:02]

REPRESENTATIVE IVEY: So, I can understand the standard that is being applied by certain interests specifically to this Bill and I think any Bill that doesn't provide that majority-minority additional district. You mentioned the trade-offs. What if the courts said with regard to - are there - let me back up a step. Is there - is it possible in your opinion to create a legal map that doesn't provide for a second majority-minority district?

1 MICHAEL PERNICK: What I can say, the first
2 precondition under the Gingles test, in order to
3 demonstrate that a map violates Section 2, you need
4 to draw an alternative with an additional majority
5 Black district. So, that's why in our work we focus
6 on that because we want to understand whether that
7 precondition is satisfied and we're preparing a
8 written submission that we're hoping to get to you
9 all today, tomorrow morning at the latest that walks
10 through our analysis in more detail. I have not seen
11 a map that has a second district that performs, that
12 fall short of 50%. If there is such a proposal, we
13 would take a hard close look at it and evaluate it
14 and consider it. But - of course, go ahead.
15 REPRESENTATIVE IVEY: So, because you all have -
16 others have presented maps that demonstrate that a
17 second majority-minority district can be achieved. In
18 your opinion, does that triggers the one of the
19 conditions?
20 MICHAEL PERNICK: That's right representative.
21 REPRESENTATIVE IVEY: Okay. Now, but even with
22 that condition - that being demonstrated that it's
23 possible. Is it possible in your legal opinion, I'm
24 not an attorney that the courts could still approve
25 some other alternative map that doesn't provide for a

1 second majority-minority district, even though it's
2 been demonstrated that it is possible. And what I'm
3 getting at is, are there the other factors, the
4 totality of circumstances that they can look at where
5 it makes sense where maybe certain communities of
6 interest remain more intact and that those trade-
7 offs, even though technically, a second district may
8 be possible. But in the totality of them all, it is -
9 we can still produce a legal map that does not create
10 a second majority-minority district.
11 MICHAEL PERNICK: Yeah. I understand where you're
12 going representative and it's a really good question.
13 I would actually focus you on the third precondition,
14 which asks whether the Black voters would usually be
15 defeated by candidates preferred by white-Black
16 voting. And if there are two districts in which the
17 candidates preferred by Black voters would not
18 usually be defeated, then you'd have a hard time
19 challenging that map under Section 2, regardless of
20 what the Black population is. And that's why we've
21 done the analysis of HP1 to see whether that third
22 precondition is satisfied.
23 REPRESENTATIVE IVEY: So you're saying the courts
24 really don't care about all the other stuff. It's
25 really whether or not you can draw 50 plus one, a

1 couple times and that's all that matters and
2 everything else that we've been focusing on to try to
3 create good maps. And again, I'm not suggesting this
4 is the best map. This is just one map. Like a map,
5 like the speaker said. But does none of the other
6 things matter at that point? It sounds like - and my
7 concern is, when you ignore everything else, does
8 that not get into concerns of racial gerrymandering?
9 MICHAEL PERNICK: Well representative, it all
10 matters and it's all immensely important and it
11 really comes into play. Once you satisfy that first
12 goal of ensuring that Black voters have an equal
13 opportunity to participate, you have a lot of room
14 and a lot of ways to do that to achieve all of the
15 other interests that you all are focused on. That's
16 why we presented you seven options and there are
17 many, many, many others that would be possible. So, I
18 would encourage you…
19 REPRESENTATIVE IVEY: Who from - are you from
20 Louisiana?
21 MICHAEL PERNICK: I'm from the NAACP legal
22 defense fund. We do work…
23 REPRESENTATIVE IVEY: National registry.
24 MICHAEL PERNICK: We're national organization of
25 course. Louisiana is the place we have invested.

REPRESENTATIVE IVEY: Okay, how many people on your team who helped develop your maps or from the Louisiana specifically?

MICHAEL PERNICK: We have a number of people on our team.

REPRESENTATIVE IVEY: Okay, so you all have - okay good. I'm going to leave it at that Mr. Chairman. I appreciate your time. Again, I know it's slightly off but I'm trying to understand the standard by which this map is being judged on. So, thank you.

MICHAEL PERNICK: I appreciate the question.

CHAIRMAN STEFANSKI: Thank you. So just to clarify, our analysis shows no split precincts.

[01:45:02]

You had me double checking right there. So, if you can identify where you believe that is, I would like to know that. Just for my own information. And if I can follow up on one of Representative Ivey's lines of questioning, I think what I understood you telling me it is not a simple yes or no answer on. You can only survive a Voting Rights Act challenge if you draw to majority-minority is that - and I know that's a little bit of elongated question. But from what I'm hearing from you, it's not a simple yes or

no, whether you have to draw two. You're just saying you haven't seen it done. Is that correct?

MICHAEL PERNICK: Mr. Representative Stefanski, you have to walk through the three Gingles preconditions. The first precondition is whether you can draw an alternate map with two majority Black districts.

CHAIRMAN STEFANSKI: So, it sounds like it's not a simple yes or no.

MICHAEL PERNICK: Nothing in the law ever is representative.

CHAIRMAN STEFANSKI: Yeah, that's why I was just trying to concise that whole – I know you know Gingles extremely well. You know it probably better than I'll know it for the rest of my life, but so – but at the same time, it has to be noted that it's not a simple yes or no, you have to do two and that's not just a yes or no question. It's a very complicated analysis question. Am I right?

MICHAEL PERNICK: The way that I would frame it representative, you have to do two districts in which Black voters have an opportunity to elect candidates of their choice. That is the critical analysis and under the first precondition…

CHAIRMAN STEFANSKI: And not a 50 plus 1, right?

MICHAEL PERNICK: Well, under the first precondition you assess whether a map is lawful by looking at whether an alternate district can be drawn in which it is 50% plus one. So, that's the focus. That's where we as an organization are focused. We would urge the committee to adopt a map with two districts that are 50%, at least 50% both for policy reasons as well as legal reasons, and then you know you're safe. You know you're safe if you achieve that goal.

CHAIRMAN STEFANSKI: But you can't sit here today and say that there is not another way you could draw this map that doesn't have two majority-minority and survive a challenge, right?

MICHAEL PERNICK: I have not seen any maps that fall into that category. If we do, we would love to take a look and work with you.

CHAIRMAN STEFANSKI: You cannot definitively say that if you draw - do not draw two, you were definitely in violation, can you?

MICHAEL PERNICK: Well, I mean that's a hypothetical representative.

CHAIRMAN STEFANSKI: It's a say yes or no.

1 MICHAEL PERNICK: If we saw a map, we would take
2 a look at it. I am not going to opine on maps I
3 haven't seen yet, but…
4 CHAIRMAN STEFANSKI: But you've opined - I mean
5 you've given us a lot. You're giving leeway a lot on
6 a lot of things. And so, I mean, look, you're an
7 expert in this field. I don't think anybody's going
8 to dispute that. You sound like you know your stuff,
9 all right? I mean you're spitting case law out,
10 you're spitting all these different things at us. I
11 mean, my buddy over here who deals with broadband,
12 man. And, you know, he's trying to keep up. But look,
13 you know, it's just - it is a very complicated
14 analysis. And I think the question that I have for
15 you is it's not a simple yes or no, right? It's not a
16 just if you don't draw two majority-minority, it's an
17 analysis, right?
18 MICHAEL PERNICK: That's exactly right,
19 representative.
20 CHAIRMAN STEFANSKI: Okay, that's all I needed.
21 And we can go round and round. I do appreciate you.
22 We have a couple more questions.
23 MICHAEL PERNICK: Of course.
24 CHAIRMAN STEFANSKI: Representative Carter.
25

REPRESENTATIVE CARTER: Thank you, Mr. Chairman. This map that we're debating right now goes from - for example, District 5 goes from Union Parish northern part of the state down almost to the complete southern part of the state. Say three parishes, St. Landry Parish. Then it goes west - east all the way to Washington Parish in another state. Now, I want you to first give me what is your understanding of the definition of gerrymandering? What you consider to be a western definition of gerrymandering?

MICHAEL PERNICK: Well, what I'll say Representative Carter is this map, as I think you're alluding to has serious concerns. Serious concerns because of the way in which it is configured. And we measure that configuration based on objective scores of compactness, we assess the maps, walk them through those Gingles preconditions, and I think as you are suggesting, this is one of the least compact maps. One of the least compact maps that we have seen introduced.

REPRESENTATIVE CARTER: So, my understanding, gerrymandering is drawing a map - a political map for the purpose of giving one party or one group an advantage notwithstanding Voting Rights Act.

Basically, you can draw any kind of map you want, but if it's designed for the purpose of excluding a section, a group of people. Then it's gerrymandering. So, that's number one. You agree with what I said about gerrymandering?

[01:50:00]

MICHAEL PERNICK: I absolutely. And Representative Carter, if I may, to go one step further. Section 2 of the Voting Rights Act, it isn't just about intent. You don't need to intentionally be trying to discriminate against Black voters in order to run afoul of Section 2. It uses what's called a results test. Looking at what happens under the configurations that have been set forth. So, even if you don't want to intentionally discriminate, that's not - and I know that what nobody wants to do. It's looking at these results as the outcomes measured on those preconditions on those rules set forth by courts.

REPRESENTATIVE CARTER: Okay. Next question. You already see at this map is less compact anything you've seen so far. It's one of the worse map in terms of compact.

MICHAEL PERNICK: There's one map that's less compact.

REPRESENTATIVE CARTER: Okay, All right. Next question. If - to succeed in a - we passed a Bill last session in order to determine what criteria you're going to use in drawing these maps doing this reapportionment. And in that bill, one of the criteria is Section 2 of the Voting Rights Act. So, the less that you already said, that's a criteria. Now, the speaker and speaker pro tem and their presentation. They were asked, what else do they make in order to deal with that Section 2. Requirement in their Bill that we passed a regular session to setting up how we going to develop this map. They violated their own Bill because the speaker said he did not look at all that. He said that this is his map. And he got a lot other maps, get a lot of chance. This is his map. When he was asked what did you do to try to comply with Section 2, he didn't say that he did anything to violate Section 2. He said that just this is his map and he got a lot other maps and this will be going to be debating, different maps. So, I would suggest that this map does not comply with the legislature on a standard that they set up in their own legislation, do you agree?

MICHAEL PERNICK: I agree representative.

REPRESENTATIVE CARTER: Okay. Number three, you talked about the criteria to be successful in challenging a map. Okay, if this map was to pass and you talk - I thought you mentioned two criteria but I'm more concerned about the third criteria and I call to your attention the case that we just had on the fifth circuit. The fifth circuit pretty much is the one decided in the past that wasn't good. The Z with the dots wasn't good. Okay? So, there's another criteria that the courts look at and determine whether or not a map or a drawing of a district is proper and which you have to prove. There's been a question of whether or not the map - the right of the people to vote on everybody possible that represent them within a district that person is represent, okay? And that was one of the big issues in Terrebonne Parish case. Could you expound on that? Because that might relate to this situation too and actually, the Terrebonne case fail in the fifth circuit because of the conclusion the court made and I'd like for you to comment about that criteria.

MICHAEL PERNICK: Yes representative. So, you referenced the third precondition. And what the third precondition is asking is whether there's white-Black voting that usually would defeat the candidate

preferred by Black voters. And we know that is the case in HP1 in five of the six districts. And I don't believe that would come to a surprise - come as a surprise to anybody here but we know it's not just from assessing and familiarity with Louisiana, but by actual looking at the data, actually looking at the numbers and evaluating using what's called racially polarized voting analysis, what would happen and how would the candidates preferred by Black voters generally perform in each of the districts in this proposal and it was very, very clear that the candidate is preferred by Black voters would win by overwhelming margins, overwhelming margins in District 2 and lose in all of the other five districts.

REPRESENTATIVE CARTER: Now, the map that you all presented, the seven map - you had quite a few maps, seven, I think. Did any of the map that you recall split major parishes? Highly populated parishes like Calcasieu, Orleans, East Baton Rouge, Caddo, Morehouse, those kinds of parishes, did any of your maps split those parishes?

MICHAEL PERNICK: So Representative Carter, we did split some parishes. I'll confess, there are a lot of parishes and a lot of maps but what I can say

is that at least one of our proposals split fewer parishes, fewer parishes than HB1.

REPRESENTATIVE CARTER: Okay. All right, which one was that?

[01:55:01]

MICHAEL PERNICK: I believe it was the first plan in our October 18 letter that split fewer parishes in HB1 and I'll note that plan also is more compact and of course complies with Section 2.

REPRESENTATIVE CARTER: Okay. And what was the percentage of minority in the second district - in the district you created, the second district you created? Just off the top of your head. I mean, I have it but…

MICHAEL PERNICK: So, in that map, the Black population in District 5 I believe was 54.2% and the total minority population in District 5. I don't have the exact number, but I believe it was around 60%, but it should be in the record.

REPRESENTATIVE CARTER: Okay. One of the concerns I have is that the fifth circuit has given some guidance on what they are going to do with these maps and they get if it come to them. And we already know what they're not going to take. The slash, the Z with the dots. We know already they're not going to take

that. Did your maps take in consideration those concerns of the fifth circuit?

MICHAEL PERNICK: Absolutely. Absolutely.

REPRESENTATIVE CARTER: Okay. So, you don't have no Z's with dots and no slashes?

MICHAEL PERNICK: Absolutely not Representative Carter, and I can say, the fifth circuit's concerns were animated by compactness, by power splits and by really making no effort whatsoever to consider any of those other criteria. And that's why we have focused on trying to present this committee with options that do take into account compactness, that do take into account power splits and we've given this committee, we've given the legislature options to do a better job of those than the Bill that's under consideration right now.

REPRESENTATIVE CARTER: Thank you. That's all I have.

CHAIRMAN STEFANSKI: Thank you, Representative Carter. For questions, Representative Jenkins.

REPRESENTATIVE JENKINS: It took a while, I almost forgot but I still want to…

CHAIRMAN STEFANSKI: We got a good debate going on, right?

REPRESENTATIVE JENKINS: Absolutely. Thank you, Mr. Chairman. And I'll keep it somewhat simple. And I'm asking your opinion. You gave some pretty good credentials when you came to the table there. You carry some good credentials with you. Considering the Gingles preconditions, the 2020 census numbers that have come back. All of these other factors that we heard that should be considered when we were shaping these maps. In your opinion, can Louisiana draw a second majority-minority congressional district?

MICHAEL PERNICK: Absolutely representative and it's easy to do.

REPRESENTATIVE JENKINS: All right. And this is my second question. You've taken a look at HB1, if HB1 was to move forward. In your opinion, I'm not trying to actually predict what a court may or may not do. Can it be the subject of a voting rights violation?

MICHAEL PERNICK: Representative Jenkins its - I can tell you quite clearly that House Bill 1 violates Section 2 of the Voting Rights Act.

REPRESENTATIVE JENKINS: Thank you, Mr. Chairman.

CHAIRMAN STEFANSKI: Thank you Representative Jenkins. For a question, Representative Farnum.

1 REPRESENTATIVE FARNUM: Thank you Mr. Chairman.
2 So, with that last statement, would you say that our
3 current maps today violate Section 2 of the Voting
4 Rights Act?
5 MICHAEL PERNICK: Representative Farnum, we have
6 not done that analysis. That has been something…
7 REPRESENTATIVE FARNUM: I'm going to say
8 obviously it didn't because it was approved and
9 that's the one we live by today. And the percentage
10 of Black voters in Louisiana has only changed .4%
11 since 10 years ago. Are you aware of that?
12 MICHAEL PERNICK: Mr. Representative Farnum, if I
13 may, I thinks it's important to clarify that the
14 standard that the Department of Justice used to
15 measure preclearance under Section 5 of the Voting
16 Rights Act is a different standard than Section 2.
17 There have been many maps that have been pre-cleared
18 under Section 5 that have subsequently been struck
19 down by federal courts under Section 2, including
20 here in Louisiana. The Supreme Court has made very
21 clear that they – and this is almost an exact quote
22 that they will not equate the Section 2 vote dilution
23 standard with the Section 5 non-retrogression
24 standard. So, I would caution – with respect, I would
25 caution you not to rely on DOJ preclearance in 2011

as a free ticket on those maps because it's a different legal standard and we know from experience that does not necessarily mean that the maps comply with Section 2.

REPRESENTATIVE FARNUM: So, and - when was Section 5 struck from the Voting Rights Act?

MICHAEL PERNICK: In 2013 and shall…

REPRESENTATIVE FARNUM: 2013, so there's been what? Seven or eight years of that part of the Voting Rights Act that hadn't been active. So, could anybody have challenged this in those seven or eight years?

MICHAEL PERNICK: Once again, Representative Farnum, we have not done that analysis. We have looked at the 2020 census data and analyzed the way in which maps could be drawn under the 2020 census data and we've analyzed House Bill 1 under the 2020 census data.

[02:00:07]

I wish I can answer your question, just frankly not analysis and it's our practice. I just wouldn't comment on something that we haven't looked into.

REPRESENTATIVE FARNUM: I'm very interested in doing my own comparison map to map to map to map so, I noticed with this map it has a very small deviation from what was accepted 10 years ago and another

1 question, do you think that voting in the general
2 public happens by race or by party?
3 MICHAEL PERNICK: Representative Farnum, we have
4 looked at --
5 REPRESENTATIVE FARNUM: Just in your opinion.
6 MICHAEL PERNICK: Yes, we have looked at what's
7 called racially polarized voting analysis in
8 Louisiana and it is very clear that there are
9 extremely high levels of racially polarized voting in
10 Louisiana. Courts have held over and over again that
11 there are extremely high levels of racially polarized
12 voting in Louisiana and what that means is based on
13 election results and comparing the race of
14 communities with election results, you can do an
15 analysis and predict whether candidates of certain
16 races tend to support the same candidates and we know
17 in Louisiana that they do. The Black voters tend to
18 support the same candidates and white voters tend to
19 support different candidates and the data supports
20 that.
21 REPRESENTATIVE FARNUM: So, back to the first
22 question, do you think it's based on party or race
23 because I know we live in a very partisan world
24 today. It's evident in every election that you see,
25 every decision that's made in congress, it's very

1 party partisan politics. So, if there was maybe a
2 Black Republican versus a white Democrat, do you
3 think that would have any effect on the results of
4 that election on the data that you all are looking
5 at?
6 MICHAEL PERNICK: So, I can comment on the data
7 we have. We have focused on what the courts have
8 instructed. We should focus on for this analysis
9 which is the racially polarized voting analysis and I
10 could tell you very clearly that we know that
11 elections in Louisiana are polarized based on race.
12 That's the analysis we've done and that's what I can
13 provide for you.
14 REPRESENTATIVE FARNUM: And I'm just curious,
15 just for my own knowledge, how do you know that
16 because you don't know who people vote for? Nobody
17 knows what's behind the curtain, so how do y'all get
18 this data?
19 MICHAEL PERNICK: I'm so, so happy that you asked
20 because it's a really, really great question. The way
21 that the analysis is done, it's called an ecological
22 inference analysis and you look at the election
23 results in a particular precinct and you are able to
24 calculate the racial breakdown at that precinct and
25 statisticians who are much smarter than I am, they

use those data sets to estimate how different groups of voters vote and those estimations are extremely, extremely accurate and that methodology has been accepted by every court to evaluate it so we know --

REPRESENTATIVE FARNUM: But you don't know what's behind the curtain, how - an estimate is not the same as an actuality?

MICHAEL PERNICK: Representative Farnum, if we have a precinct that's 99% Black and supports a particular candidate with 99% of the vote you know that Black voters support that candidate and using those sorts of data points, you're able to get extremely accurate measures of how different groups of voters, which candidates, different groups of voters prefer.

REPRESENTATIVE FARNUM: How about one that 60/40?

MICHAEL PERNICK: Well, that's why you use the ecological inference methodology to look at all of the precincts in whatever jurisdiction you're evaluating and you're able to project using - it's not just one data point we wouldn't ever only --

REPRESENTATIVE FARNUM: Yeah, the 99 is pretty easy. No matter which way you're looking at but 60/40 or the 55/45 is a little harder to use the same analysis method, don't you think?

MICHAEL PERNICK: Of course, and that's why we would never look at one precinct in isolation. We would look at the jurisdiction as a whole and using the hundreds or thousands of data points you're able to determine with very, very high levels of accuracy on what candidates, different voters, groups of voters who prefer and there's a margin of error. And in this case, the margin of error is very small and we know when you look at the results and you look at the margins of error, you know that Black voters support certain candidates, white voters support different candidates and I'm sure that understanding would be shared among everyone who sort of run for office and been a part of this world in Louisiana as well.

[02:05:00]

That's generally the way that elections go but the data does back that up and the methodology that I'm describing, the ecological inference methodology, has been widely accepted by courts when dealing with these sorts of cases.

REPRESENTATIVE FARNUM: Okay, thank you. Thank you, Mr. Chairman.

CHAIRMAN STEFANSKI: Thank you representative.

MICHAEL PERNICK: And thank you for the opportunity to talk about RPV and ecological inference. It's rare that people show an interest in this so I do appreciate the opportunity.

CHAIRMAN STEFANSKI: Thank you Representative Farnum. For question, Representative LaCombe.

REPRESENTATIVE LACOMBE: Excuse me, Sir. I missed your name when we started.

MICHAEL PERNICK: Michael Pernick from the NAACP Legal Defense Fund.

REPRESENTATIVE LACOMBE: Okay, Mr. Michael. Mr. Michael I just have a couple questions because I want to take you to - have you actively participated in or were part of the litigation in the Alabama issues?

MICHAEL PERNICK: No, Representative.

REPRESENTATIVE LACOMBE: But folks from your organization has been part of that litigation?

MICHAEL PERNICK: Yes, Sir.

REPRESENTATIVE LACOMBE: So, are you familiar with the actually - the challenges that are going on currently right now in Alabama?

MICHAEL PERNICK: I am, Representative but I have to say I can't comment on it because it's active litigation.

REPRESENTATIVE LACOMBE: Okay. Well, what I'm getting at is I felt like you may have had a better handle on what was going on in Alabama than I did and I needed to ask some questions from you from this to what is actually going on without getting into it too much. I mean, I'm just trying to figure out - I guess I'm in a situation where we're looking all these maps. We know that there's current litigation going on in Alabama. They are ahead of us because I guess they improved their maps first in their legislative session and I just - was trying to take into account maybe what we were doing here may be similar to there and if there's any pitfalls that we can look out for.

MICHAEL PERNICK: Sir Representative, I think it's a really good thing to be focused on. We provided a copy of the Alabama opinion. I believe it's over 200 pages long but we provided a copy of that opinion to this committee. I don't know if it's been distributed but I would encourage you to read that opinion if you can find time to get through it or at least the introductory sections and the summaries of it. I would direct you that opinion. Unfortunately, I can't comment on the specifics given that we're in the middle of litigation but we did

provide that to you and I would encourage you to take a look at it.

REPRESENTATIVE LACOMBE: Okay. Well, I'll do that because I love reading 200-page federal opinion pieces in my spare time.

MICHAEL PERNICK: Sorry to give you that homework representative.

REPRESENTATIVE LACOMBE: It's okay. The second part I got is we had - and I'm not talking about HP1, but we had a young guy came in. During the roadshow we went everywhere. We've heard from virtually every constituency. In every corner of the state, we heard from and saw maps that have been produced by multiple non-governmental folks, power coalition, ACOU individuals, different groups, what struck me is the discussions you're talking about this morning was the third condition, the Gingles. Where it said the candidates preferred by Black voters defeated by white voters but I saw a map that a young gentleman - a young guy who basically a political science student at LSU came to us and produced some maps and one of the maps that he produced had sort of I guess two districts that were - I don't know if they were both majority-minority, but were very, very close and when I looked at - you discussing the third prong Gingles

earlier, I was just taking to account I didn't know if you had actually taken a look at those maps that were produced. Did you see the maps that were produced by - what's his name, Mr.?

CHAIRMAN STEFANSKI: James Henry.

REPRESENTATIVE LACOMBE: Mr. James Henry?

MICHAEL PERNICK: I have not done an analysis, but if that's something that would be helpful to the committee, we can take a look at them.

REPRESENTATIVE LACOMBE: I kind of would like to because when I saw his maps that he produced, he sat before the committee and discussed a bunch of data points and one of the data points - and one of the districts that he presented as being a majority-minority district had took into account a lot of Orleans Parish and whatnot and I was wondering if the prong Gingles would have been satisfied by that because even though there was a group of white voters from Orleans Parish I think that that group of white voters would probably vote for an African-American candidate. I think that they've proven it. I just didn't know if you had saw his maps and opined on it, that's why I was --

MICHAEL PERNICK: Representative, I haven't seen anybody introduced that map. I think we would

1 certainly be interested in taking a close look.
2 Excuse me, if somebody sponsored it. What I would
3 also recommend, there are other states that have
4 retained racially polarized voting experts who do
5 those sorts of analysis and that's something that's
6 commonly done to ensure compliance with Section 2 and
7 measure the different preconditions.
8 [02:10:01]
9 So, I would urge this committee to consider
10 retaining an individual who can run those analysis
11 for any maps that you're interested in. It may even
12 be the case that staff has the ability and capability
13 to do that analysis but if not, we're happy to
14 recommend names to you and work with you on that.
15 REPRESENTATIVE LACOMBE: Well, and I'm not even
16 sure that Mr. Henry's maps were produced to us and
17 anybody's actually filed it as a Bill, where was done
18 so – we were gathering up.
19 CHAIRMAN STEFANSKI: They were submitted in the
20 block.
21 REPRESENTATIVE LACOMBE: They were submitting the
22 block
23 CHAIRMAN STEFANSKI: The block [INDISCERNIBLE
24 02:10:30]
25

REPRESENTATIVE LACOMBE: Okay, that's just sort of - I was interested in hearing about the prong Gingles because obviously, we're going to have some concerns moving forward with whatever the process lays out. I suspect that there be some type of court challenges and fifth circuit issues and intervening in Federal Courts and I just didn't know if there was a potential to look at that particular map and see if it would survive a Gingles challenge. All right, thank you.

CHAIRMAN STEFANSKI: Thank you, Representative LaCombe. Mr. Pernick just one last thing. So, you didn't get a chance to see that map?

MICHAEL PERNICK: We haven't conducted the same analysis of that map.

CHAIRMAN STEFANSKI: Did you see it?

MICHAEL PERNICK: I saw, I glanced through many of the --

CHAIRMAN STEFANSKI: Glanced, interesting use of words, Mr. Pernick. Very interesting, you glanced at it. I just would assume that you had - since you're so active with submitting all those maps that you would have done a pretty thorough review of all the maps.

MICHAEL PERNICK: Representative Stefanski, we did not glance at any of the maps that were introduced as Bills.

CHAIRMAN STEFANSKI: Okay.

MICHAEL PERNICK: We did a careful analysis of every map that has been introduced by members of legislature. We will continue to do so and we will be providing a written assessment of some of those maps on rolling basis as they come in but if there's any Bill that you're interested in introducing or others, we're happy to do a close look and evaluate that plan and work with you to try and find a path forward that complies with Section 2 of the Voting Rights Act.

CHAIRMAN STEFANSKI: No, I understood, I just - for the record, it was interesting that you glanced at a public submittal, very similar - that use of - that term was interesting. But thank you very much for your testimony. I appreciate it today. Thank you, Sir.

MICHAEL PERNICK: Thank you.

CHAIRMAN STEFANSKI: More question. Actually, we have two. I thought we were done. For question, Representative Ivey.

REPRESENTATIVE IVEY: I'll be brief. Thank you, Mr. Chairman. This is kind of a piggyback with what

Rep. LaCombe was saying. Just for clarification purposes. As we continue this process to develop maps and of course you having some expertise legally in this, we appreciate your input. So, in one of the maps, Mr. James Henry provided. District 2 has a population of 39.6% white and everything else being minority but specifically 45.3% Black minority. In that situation where you have a combination of minorities that in totality equal more than – much more than that 50 plus 1, how do the courts look at that even if it's not just a single minority group?

MICHAEL PERNICK: That's a great question, Representative Ivey. We actually spoke about this. I believe on one of the best maps that we submitted. The fifth circuit does permit and entertain what are called coalitions, where you look at whether the total voting age population of two different minority groups exceeds 50% but you need to also prove not just cohesion within each of those groups but that those two groups tend to vote for the same candidates as each other. So, if it's over 50% and the groups are Black and Latino voters you would measure whether Black and Latino voters tend to support the same candidates and if they do, the fifth circuit would entertain that as a coalition claim to satisfy that

first prong of Gingles. Does that answer your question?

REPRESENTATIVE IVEY: It helps but in y'all's analysis what have y'all found as far as the different minority groups which one is particularly with the Black minority population, which other minority groups tend to vote with the Black minorities.

MICHAEL PERNICK: So, we haven't looked at that with respect to the congressional map because it's very straightforward to draw districts that are majority Black and we've presented those option. So, we haven't looked at --

REPRESENTATIVE IVEY: I mean, Hispanic and one of these maps is 10%, that's not insignificant. And so, those little numbers if some of these voting populations - minority voting populations at 10%, 5%, I mean that can be the tipping point, if again there is some cohesion in those communities.

MICHAEL PERNICK: So, Representative Ivey, these are great questions and this is one of the reasons why we recommend that committees and legislators retain racially polarized voting experts who can answer these questions for you and as questions come up and individual maps, if you want to evaluate

1 different maps, that's what other jurisdictions are
2 doing. So, that I think that's something that would
3 certainly be worth exploring.
4 [02:15:10]
5 REPRESENTATIVE IVEY: Okay and again, just for
6 further insight. I'm assuming there needs to be some
7 parity with the comparison of the - the BESE map
8 versus the congressional map versus a local district
9 map, right? Because, I mean - so, if I went and
10 looked at what the voting - if there's some analysis
11 on how Hispanics in the New Orleans area voted as an
12 example, if their candidate was this - choice was the
13 same candidate choice as the majority - Black
14 minorities in that district, would that make some
15 sense that they vote together and - but if you
16 compared at a district level like a House District, I
17 mean you're going to have a lot more variety there
18 just because the weight of that minority population
19 may be significant. So, if I just focus on comparing
20 congressional candidates historically and how - let's
21 say the Latino or Hispanic community votes, if they
22 vote with then is that evidence in your opinion that
23 would meet the court's requirements?
24
25

MICHAEL PERNICK: I think I understand. If I understand the question correctly, it's about what types of elections are considered relevant.

REPRESENTATIVE IVEY: Yes.

MICHAEL PERNICK: For understanding racially polarized voting analysis and courts will consider a wide range of elections. The best practice is to try and get a lot of data points but there are some elections that are seen as more probative than others. Generally, you want to look at racially contested elections, elections between candidates of two different races are seen as more probative than candidates that are not - elections that are not racially contested. Courts have said that you generally want to look at contests from a number of election cycles. So, you're not just looking at contest from one election cycle that helps account for variations and turn out and sort of outlier elections. Courts also say that - let's say if there's an issue with congressional map, races of congressional elections are seen as more probative. They're called endogenous elections is the technical term. So, they're more probative to courts than races concerning other jurisdictions that are called exogenous elections.

REPRESENTATIVE IVEY: Okay, so it's weighted --

MICHAEL PERNICK: - for endogenous over exogenous but again, there's no sort of one thing that you do. You look at the elections that are available, you --

REPRESENTATIVE IVEY: And how do we know like how a certain population of people voted? How do we know that?

MICHAEL PERNICK: Absolutely. So, it's done through what's called an ecological inference analysis where you look at the individual precinct election results and you look at the racial data.

REPRESENTATIVE IVEY: Okay, I got you. Statistically build it from the precinct level. Gotcha. Okay.

MICHAEL PERNICK: Thank you, Representative.

REPRESENTATIVE IVEY: Thank you.

CHAIRMAN STEFANSKI: Thank you Representative Ivey and just to be clear, you said you were able to do careful consideration of Speaker Schexnayder's map.

MICHAEL PERNICK: We did.

CHAIRMAN STEFANSKI: So, then you had ample opportunity to come here to testify and you're prepared for committee?

MICHAEL PERNICK: Because we have the resources to do so we have staff, we have resources monitoring it closely. I will say I understand that many members of the public and Louisiana residents have not had that opportunity but we are situated as a national organization focused on this to have the resources to monitor and check every few hours and quickly turn around in analysis.

CHAIRMAN STEFANSKI: Sure, but you did have the opportunity, you're not impeded by the timeline, you specifically?

MICHAEL PERNICK: Legal Defense Fund was not.

CHAIRMAN STEFANSKI: Okay. I mean and most of the public will never have the resources to deep dive into these maps as far as doing hardcore analysis. It takes a financial endeavor and it does require resources.

MICHAEL PERNICK: Representative, I think you might be selling some Louisiana short --

CHAIRMAN STEFANSKI: I couldn't do it.

MICHAEL PERNICK: I've been very impressed, we'd seen you in the roadshow -

CHAIRMAN STEFANSKI: Me too. But it's different than doing deep at mathematical analysis using software and projections and stuff like that. It does

1 require certain level of resources. Not that the
2 quality of input is less or the quality of index is
3 less. It's not what I'm saying. I think you
4 understood that too.
5 MICHAEL PERNICK: Yeah, I mean, some of the most
6 interesting input that I've seen as someone who's
7 watched the roadshow has been from members of the
8 public who came in and had weeks or months to
9 consider the process and give right --
10 CHAIRMAN STEFANSKI: But at some point, we have
11 to start this. We don't have years to do weeks and
12 months in the session redistricting, you do realize
13 that?
14 MICHAEL PERNICK: Absolutely Representative.
15 CHAIRMAN STEFANSKI: Right, there's a timeline
16 and it's finite.
17 MICHAEL PERNICK: Absolutely.
18 CHAIRMAN STEFANSKI: Yes, thank you.
19 Representative Duplessis with a question.
20 REPRESENTATIVE DUPLESSIS: Thank you, Mr. Pro
21 Tem. And just as a follow up. Again, I just want to
22 continue to reframe that point regarding timeline and
23 process because just because we can move forward on
24 something, I don't think that automatically means
25 that we should move forward.

[02:20:07]

When you look at the overall gravity of what we are dealing with. We could check all the boxes in terms of public notice and say, "Oh, well, we did everything." I just noticed this particular session it seems to be - of all the special sessions that I've been a part of, I've never really observed such a level of focus on being expedient. We take our time around here generally. So, I'm just noticing right now that seems to be a hyperfocus on. Well, we've noticed, we've advertised, we've given the public an opportunity to comment. Why do we need to hold up? What are we waiting on? I've never really heard some of those points made before, but back to this issue about glancing, because that term has been used a couple of times. When we talk about the Voting Rights Act, all the standards are laid out and our requirement as a body in terms of what we need to achieve to make sure we're doing this the right way based on what the bill author, because you're not a bill author, correct.

MICHAEL PERNICK: No.

REPRESENTATIVE DUPLESSIS: Based on a Bill author, Speaker Schexnayder and what he has presented to the committee, based on what he has described to

the committee thus far the consideration that he took from other maps that were considered, the consideration that was taken from public input across the state. He mentioned - I asked him, did he consider other maps or did he look at the other maps. And I think his response was I glanced at a few or whatever the case may have been and I know that sparked a lot of conversation about who's looking at what, but I'm asking in terms of how it applies to the legal standard, what consideration we as a body have to give to alternatives and other options. So, could you speak to that from a legal standpoint.

MICHAEL PERNICK: Absolutely, Representative Duplessis. It's a very important question. Ultimately, you all are going to have to make a decision. What bill to vote out of committee? And there are lots of options that were presented and it's your obligation - affirmative obligation to comply with Section 2 of the Voting Rights Act and ensure that whatever Bill emergence from this committee complies with those requirements. So, I would encourage you all to not just look at the one bill that's under consideration today, but take a look and hear testimony on all of the bills before taking votes and have that opportunity to weigh and

evaluate and compare the different options so you know that the option that you ultimately proceed with is legally compliant and you also have an opportunity to compare the maps on all of the other criteria that you're discussing today. Compactness, where the map that you're considering is not as good. Objectively, not as good as most of the other proposals. Preservation of parish boundaries, where there are other alternatives that do a better job on that criteria. Even all of the other important considerations that you've been considering like keeping communities of interest together, exploring alternatives so you have confidence that the Bill that's voted out of this committee is one that's legally compliant and does the best possible job of addressing all of those considerations.

REPRESENTATIVE DUPLESSIS: Thank you.

MICHAEL PERNICK: Thank you, representative. Thank you, members. Appreciate the opportunity to testify today.

CHAIRMAN STEFANSKI: We do you have one more question, and look members, I have a general idea what the questions going to be about. So, that's why I'm going to go to it but I want to say thank you to Representative Ivey and everybody. Let's try and do

one bite at the apple as much as we possibly can because we do have a lot of red cards and a lot of commentary but I do - I think Representative Carter probably has a point too. When I made, I want to make sure he is heard and he gets addressed. So, Representative Carter with a question.

REPRESENTATIVE CARTER: Thank you Mr. Speaker Pro Tem. I'm going to make this short. I looked at all your maps and I have one concern. I want you to try to explain it to me because we do have one district minority Black in the state, okay. And that district presently, it's about 59, almost 60% Black and you put it in your submission and you compare the maps that you submitted to us to consider. And you talk about your first map, and I look at all seven maps and none of the maps have more than 53.5% minority population. None of them go over 53%. Okay. My concern to you is, in an effort to try to get another minority district, and I think a lot of people make this comment including maybe to sit in.

[02:25:03]

So, Congressman from minority district, Congressman Carter. Since you've reduced his district from 59% to 53.8%, how you - have any concern that that might put that district at risk and have you did

a study to see whether or not he will be having the chance means successful based on the status you show - you indicated earlier that he have an opportunity - at least an opportunity to be successful.

MICHAEL PERNICK: Thank you, Representative Carter for the question. And to answer, no, we do not have any concerns about the performance of District 2 in any of our proposals. Yes, we have conducted a robust study looking at robust selection of past elections and measuring how the candidates preferred by Black voters would perform based on those election results. We are confident that the candidates preferred by Black voters would perform in District 2 by overwhelming margins based on most of those elections by 30 points, thereabouts. So, it's a very, very significant margin. District 2 would continue to perform for candidates preferred by Black voters.

REPRESENTATIVE CARTER: All right.

MICHAEL PERNICK: Thank you.

CHAIRMAN STEFANSKI: Thank you, Representative Carter. We've got a glare that does clear the board on all the questions done. Thank you again for being here. We appreciate your testimony.

MICHAEL PERNICK: Thank you, representative.

CHAIRMAN STEFANSKI: Yes, sir.

MICHAEL PERNICK: Chairman Stefanski.

CHAIRMAN STEFANSKI: Yeah, no worries. Either one works. Next, we have Janea Jamison. Is it Jenea, Janea?

JANEA JAMISON: It's Janea.

CHAIRMAN STEFANSKI: Oh, I'm trying to add syllables. I apologize. I hate when I put your names. Anytime you're ready, ma'am.

JANEA JAMISON: Completely okay. Good morning, everyone. Good morning, chairman and fellow committee members. My name is Janea Jamison with the Power Coalition for Equity and Justice. I know all of you are very familiar with our organization, but just to provide some context of who we are and what we do. Our coalition group is very diverse. We are based on working together and educating and empowering voters across the State of Louisiana and through our voter engagement and community organizing work, we seek to unify our members on a collective voice for more vital and cohesive force that can successfully advocate for agenda of shared values and issues. And throughout the past five years, myself personally, I've worked on the ground and engaged community members on the importance of voting and turnout. And with our verse being diverse with power mapping and

listening sessions, organizing policy and advocacy, all of those great things. We have successfully united 500,000 voters of color and voting on a rate of 65% on statewide campaigns. And what I can say based on experience, when folks are connected to a particular issue and have a candidate, they actually believe the opportunity that can really win, they will turn out, but we know that that's a rarity, right. And community members believe in a movement. Community members believe in having a voice and a turnout based on momentum and opportunity. So, having community input, I know you all can agree is vital within this entire process. 250 people were present here at the Capitol on Tuesday. Stressing the importance of having additional representation and having their voices heard. 250 people or present on Tuesday because they want an opportunity to choose a candidate of choice or a competitive district. 250 people were present in support of an additional majority-minority congressional district. I will say that it's pretty disheartening that House Bill 1 presented today refuses to address community input of additional representation for Black or minority voters of color. We hone in on Louisiana being a melting pot, being so diverse. Yet the legislature

that does not represent that. Throughout the roadshow, there were seven maps as we've frequently talked about here today that provided various ways to create an additional majority-minority district. We've also shared today based off of the experts that were present here that. That Sections 2 of VRA requires the redistricting body to ensure that Black voters have an equal opportunity to participate in the political process in choosing a candidate of their choice. So, this is a legislative body that constantly focuses on adhering to the law and a process. Yet, here we are again, with a map that potentially may limit and dilute minority representation and voting power for the next 10 years. Louisiana has a history of racially gerrymander maps.

[02:30:00]

I've stated myself personally, and at least five of the road shows. And if we speak on their numbers what we just discussed, voters of color above the age of 18, this is voters of color, not necessarily Black voters, but are over at 60% of the population in almost all of the proposed districts and the maps previously submitted yesterday in the senate by some of your fellow colleagues and folks that you work

with. But for some reason, the map presented today found such difficulty in creating an accurate representation. Now, I constantly hear conversations on community of interest and assets and maintaining parish boundary lines. All of these principles were kept in mind when conducting this map yet there is a continual clear negligence and not addressing the voices of thousands who spoke and support of additional representation of communities of color. I'm an advocate for communities of interest. I spoke yesterday about coming from a rural community. Being a devout catholic. Having a mother who was an engineer at Texaco oiling company and a mother who was a teacher for 33 years. So, I hone in and all of those things as well. But how can you keep a state united and ignore a vast majority of its population? Understanding a map is not an easy task. I'm not an expert. I'm not a demographer. I'm not a redistricting attorney. So, to address some of those questions, I think that were provided for community were pretty difficult to even answer, right. But what I can say is I do speak up for the will of the people and I do represent community voices in those who are members of our organization. What you vote on, as you all know, will determine the lives of others for the

next 10 years. So, as elected officials, you are hired to perform and hold up to a particular standard because you actually control the quality of lives. You control the quality of my life. So, saying all that to say, we are asking for additional representation to choose a candidate of choice. Regardless of their race, sex or party affiliation. It's simply having the opportunity. So, it's only fair that all Louisianans have at least the opportunity. Only asking for an opportunity. That's it. We know that results are in list when the opportunity is actually given.

CHAIRMAN STEFANSKI: Thank you. We do have a question, Representative Ivey.

REPRESENTATIVE IVEY: Thank you. Mr. Chairman, I'll be brief. Thank you again for your passion and doing the good work. Trying to bring people together and try to make sure that the representation in congress is reflected - reflective of the communities that we all serve. So, thank you. I do have, I believe, a legitimate concern that in an effort to get to that 50 plus 1, and I haven't done the analysis, not the specific analysis yet, but you did mention a very good point concerning when people feel a little disenfranchised, like their vote doesn't

count, they don't turn out. And so, you believe that by providing an additional majority-minority district that that would increase turnout to whatever degree. And that's where I'm kind of I'm concerned is if there was a map that had two districts that were 50 plus 1, all the other issues, community interests just kind of ignore all that for a moment, but the historical population or voting population, again, 50 plus 1 but maybe it's really heavily weighted in the younger 18 to 20 years old. Which are - at times can be the ones who don't show up to vote as compared to the older generation there. So, it's possible, I would imagine, to draw a map that would produce that 250 plus 1 Districts, but yet maybe a candidate wouldn't able - maybe the minority in either district would not be able to actually elect a candidate in a choice based on the traditional turnout or even it had to - you know what I'm saying? Is that a concern that you'll have had in how these additional districts are shaped?

JANEA JAMISON: Well, I will say it may possibly be a concern, right? But as you've heard, some of our colleagues for NAACP LDF, they've actually compared this analysis and watch these trends as well and they're very confident in their performance. And what

I can say is working on the ground again, when folks actually believe in something and having that opportunity, and even the momentum that's been built around this entire redistricting process, having 250 people come here and sitting at the capitol, ensuring that their voices are being heard. It's built off of momentum and believing in something. So, with an increased in percentages, because I think we can agree that 30% versus 50% plus 1 is definitely an increase, right?

REPRESENTATIVE IVEY: Absolute improvement. But, you may be having to sacrifice in a more secure district. It's what my point is, so there's a tradeoff there.

[02:35:07]

JANEA JAMISON: Yeah. It may be a tradeoff but the only thing that, again, that I'm asking you as an elected leader, and the governing bodies to at least try to get there as much as possible and not ignore and neuter the voices of thousands who have came and stood before you.

REPRESENTATIVE IVEY: And I think that's what we're here to do. And I'll make one last comment and that is, how many of us actually ever really get to try to elect a candidate of our choice? How many

1 times is the candidate of our choice not even on the
2 ballot? So, anyway, I'm going to leave, that was a --
3 JANEA JAMISON: Right. And I hope that within
4 this process, we can actually create a competitive
5 district and actually change that narrative. Thank
6 you so much.
7 REPRESENTATIVE IVY: Thank you.
8 CHAIRMAN STEFANSKI: Thank you, Representative
9 Ivey. That clears all the questions. Thank you for
10 your testimony today. Next, we have Katie Bernhardt.
11 Welcome to the Capitol. Whenever you're ready.
12 KATIE BERNHARDT: Hi, thank you for having me.
13 Katie Bernhardt, Chair of Louisiana Democratic Party.
14 And I'll try to keep this concise. I didn't prepare
15 but just sitting here listening to this. I think it's
16 very relevant. One to mention that we get lots and
17 lots of calls and I think that we perhaps, as a
18 party, get lots of calls because we are the party of
19 racial justice and we've had that very top of our
20 platform. And so, so many activists and concerned
21 citizens across the state have reached out to us
22 concerning this congressional map and how they feel
23 under represented. Many people tell me on a regular
24 basis that our incorrectly state who their
25 representatives are their state senators are, based

on their color. And I've said, no, no, no, that's not where you live. And having representation that represents your community matter so very much to so many people in this state. And so, I just wanted to report one that that is something that we receive on a daily basis right now. We're getting an undated with concerns about these congressional maps. And having the opportunity to have congressional representation that reflects the makeup of our state. And then the second thing I wanted to speak to was that of being a woman and anywhere I go in this building, I feel underrepresented. I'm a 35 for one more week. A year-old to mother of four. And I've lived in Louisiana my whole life. And there've been many, many Bills that have come forth in this building where I've felt, "Wow, we just don't have the people in this building that understand this issue." And obviously there's many of us, who've worked very hard to educate all of you on those issues but I think that there were some lady that spoke earlier. And I hear from women all the time why is it that our federal delegation, and our state delegations don't reflect the women of the state, right? It is a constant concern of mine, but I think that is up to our parties and our communities to do.

And that everything I've learned about this process should not take gender into account. So, I'm certainly no expert on redistricting area reapportionment, but I have been briefed by many attorneys over the last year on the subject matter. And I think that gender should be left out of this consideration and by legal standards. I believe that's the case and I'm sure there's someone with a better understanding that could confirm that. But the main thing that I wanted to speak on was the many, many activists that have reached out to us concerning the makeup of our congressional delegation and how we are so greatly underrepresented in our minority communities.

CHAIRMAN STEFANSKI: Thank you. I don't see any questions. So, thank you for your testimony today. Next, we have Frankie Robertson.

FRANKIE ROBERTSON: Good morning.

CHAIRMAN STEFANSKI: Good morning.

FRANKIE ROBERTSON: Frankie Robertson. Actually, I have two letters I would like to share today. Am I able to do that while I'm sitting here for two different people, or should I come back?

CHAIRMAN STEFANSKI: Well, I see you filled out two cards. If you have a statement you'd like to read that's perfectly fine.

FRANKIE ROBERTSON: I do. Thank you very much.

CHAIRMAN STEFANSKI: Sure. No problem.

FRANKIE ROBERTSON: The first statement I would like to read is from the New Orleans Maternal Child Health Coalition. Good afternoon, Chairperson Stefanski and members of the House Governmental Affairs Committee. My name is Frankie Robertson, and I'm here today as a member of the New Orleans Maternal Child Health Coalition. We aim to improve outcomes, experiences, and access to quality respectful care during pregnancy birth and the postpartum period by centering the experiences as a Black birthing people and their infants in New Orleans. The MCH Coalition is an advocacy group made up of over 100 diverse stakeholders in maternal and child health in New Orleans.

[02:40:02]

Our members include researchers, healthcare professionals, doulas, individuals employed by local and state government offices and representatives of community organizations, creating public health solutions and providing direct services to New

1 Orleans families in the perinatal period. Why are we
2 here today? Well, because Louisiana structural
3 shortcomings have a disproportionate impact on Black
4 populations, and populations of color. Through
5 redistricting and the development of fair and
6 equitable maps, we have an opportunity to impact
7 long-term structural change that can address the
8 maldistribution of resources provided to Black
9 communities by ensuring the adequate distribution of
10 political power and representation at every level of
11 government, which will impact the birthing people of
12 our state. Louisiana has the highest maternal death
13 rate in the nation. According to the 2018, Louisiana
14 pregnancy associated mortality review report, 67% of
15 pregnancy-related deaths were considered potentially
16 preventable. The report further outlined that system
17 level factors related to policies and procedures were
18 the most commonly identified contributing factors to
19 pregnancy associated, but unable to determine related
20 deaths. These included violence, access and financial
21 factors, communication, continuity of care, and care
22 coordination, lack of referrals and inadequate
23 assessment. The COVID-19 pandemic has unearthed what
24 many of us already know and have long since
25 acknowledge that when our state suffers in areas of

1 economic health and physical health, Black population
2 suffer the most. A result of systemic injustices
3 created and sustained by redistricting and
4 inequitable local districts resulting from this
5 public process. The development of maps in this
6 special session is the opportunity to posture our
7 state to abandon its low tier ranking in nearly every
8 indicator of wellness, reflective of thriving
9 communities. Referencing US news, which ranked
10 Louisiana last and its best states ranking with an
11 additional load to your ranking of 46th in
12 healthcare, 48th in education, 47th in economy, 47th
13 in infrastructure, 48th in opportunity, 42nd in
14 fiscal stability, and 50th in crime and corrections.
15 The New Orleans Maternal Child Health Coalition
16 stands in solidarity with community advocates,
17 demanding fair and equitable maps. For months, you've
18 heard from concerned advocates demanding fair and
19 equitable maps across the state about developing and
20 supporting maps that would address systemic failures
21 of our State. Those same failures impacting the
22 social determinants of health that directly
23 contribute to the death and severe injury of birthing
24 people in our state, which leads to maternal deaths
25 across the nation and has high rates of infant

mortality and preterm birth rates in our state. As advocates have repeatedly shared including over 200 present on Tuesday, Black Americans make up over a third of the population in the State of Louisiana and yet are only represented by one of the six state representatives to congress that are elected. We know that this is a direct result of decades of unfair maps that have weakened the minority vote by packing Black citizens and communities into one district. District 2 stands alone as the only majority-minority district in the state. We echo the voices of advocates and urging the state legislature to create a second majority Black congressional district and reject all maps that do not create this additional district, Thank you.

CHAIRMAN STEFANSKI: Thank you.

FRANKIE ROBERTSON: Absolutely. And I have one--

CHAIRMAN STEFANSKI: You have another statement you want to read?

FRANKIE ROBERTSON: Yes, one additional statement?

CHAIRMAN STEFANSKI: Okay, no problem.

FRANKIE ROBERTSON: All right. Good afternoon, Chairperson John Stefanski and members of the Senate, excuse me, members of the House and Governmental

Affairs Committee. My name is Raymond A. Jetson and I serve as the Chief Executive Catalyst at MetroMorphosis, where we believe in the value of lived experiences, and that the people closest to the matter are closest to the solutions. I served in the Louisiana legislature for 16 years and had an opportunity to speak to the issues and the interests of the people in my district, because there was one drawn that the people who cared about the issues I could vote, I'm sorry – because there was one drawn that the people who cared about the issues I did could vote for someone to give voice to them. A little less than 10 years later, I participated in the first process from my time in drawing maps. The redistricting process is twofold.

[02:44:59]

It is to make certain that there is representation that there are people who sit in seats that look like me, live with and think like the people that have elected you. But it is also important to make sure there is influence in other districts, which can only be achieved without cracking and packing of communities. What happens in this room and in the chambers upstairs will impact Black and brown communities lives for a decade. This

is a serious moment. My prayer is that you will grasp the responsibility and weight of this moment, you have an obligation to those who years from now will look back on this moment to see how responsible you were with the powers you have been given by the constituency of this state. This matters, it matters to our children yet born and it matters to my ancestors and those among us who have told to make a difference in the world that we live in so that we have an opportunity to do the things that we do. Today, we add our voices to those of our community acknowledging the systemic nature of the issues faced by Black communities that are a direct result of policymaking here in our state legislature in congress and then at the local level created by and sustained by the redistricting process, and the inequitable political districts resulting from this process. Black Americans make up over a third of the population in the State of Louisiana, yet are only represented by one of the six state representatives that are elected. This is a direct result of decades of unfair maps that have weakened the majority, excuse me, the minority vote by packing citizens and communities into a district. District 2 stands alone as the only majority-minority district in the state

and Black Louisianans are cracked into Districts 1, 3, 5 and 6, where their voices input and their votes are weakened by white majorities. It is because of this cracking and packing, that since 1965, Louisiana has sent 45 white politicians to congress. I stand in solidarity with advocates today, calling for the addition of a second majority-minority congressional district. For decades, we have felt a tremendous impact and inequitable district maps have on Black communities that have weakened the minority voting input. We are here today to demand fair maps that allow for fair representation. Now is the time. Thank you for your time and leadership.

CHAIRMAN STEFANSKI: Thank you. I don't see any questions, but thank you for your statements and your testimony today.

FRANKIE ROBERTSON: Absolutely.

CHAIRMAN STEFANSKI: Of course, ma'am - Ms. Robertson. Oh, okay. Hold on representative. You're right. It helps, but there you go.

REPRESENTATIVE CARTER: No, I'm just trying to be sure. All of the email testimony, written testimony, audits already in direct?

CHAIRMAN STEFANSKI: In your packet. So, you have all of that in your packet. Yes, sir. In the record.

REPRESENTATIVE CARTER: It's in the record of --

CHAIRMAN STEFANSKI: Manila[PH 02:48:08] folder that you have. Everything's in there and it's on the website. Yes, sir. In the record, on the website, in the folder. Yes, sir.

REPRESENTATIVE CARTER: Thank you, sir.

CHAIRMAN STEFANSKI: Thank you representative. Next up, we have Devonte Lewis. Mr. Lewis, whenever you're ready.

DEVONTE LEWIS: Yes, sir. Thank you. Good - I think it's afternoon now. Good afternoon, committee. I'm Devonte Lewis, as many of you know, and I'm normally talk about data and facts as you know, but today I'm going to talk about values a little bit. I first came to this building in 2008 as a bright shorter kid really looking to be involved. Representative Carter's predecessor and my grandmother's elementary school friend, Representative Franklin brought me here and make me a page and I've been here ever since. So that's almost now 15 years. I counted it up the other day, that would be my - this is my 32nd session coming in this Capitol and I'll hit my 33rd when I turned 30 because you are coming in to regular session on my 30th birthday. So, I thank you for the birthday gift. But

in those sessions, I've always heard about, we should value people, we should value voices, come here and make your voice heard and over this process, I've watched every roadshow. I've been to all of them, but I've watched every single one of them. I've been to almost every committee hearing, and I constantly hear a cry from people, let my voice be heard, equal representation. And I think about all of the interest that we have to take into account. I'm from Lake Charles, Representative Carter, Representative Farnum knows that and if anybody who's been in this committee know, you've probably heard from George Swift about keeping Lake Charles and Lafayette in the same congressional district.

[02:50:00]

And this map does that. But I've heard Black people say, give me an opportunity and they haven't been heard. And so, all I'm asking is that this committee gives Black people minorities and some of us the same privilege that we give Mr. Swift. I love George Swift, but I want to know why his voice is more powerful than mine. Why do we value the interest of that community more than we value the interest of Black and brown people of this state? When we talk about continuity of what we've done in the history,

we've always been second. We weren't written in the constitution. I was three fifths at one point in time. You have to amend me to have the right to vote. The Voting Right Act came because I wasn't treated equal by this state, by this nation. And so, what I ask of you to do, when you consider these maps is take the totality of our history and why so many of us have to beg and plead just to be considered. This state is the second Black estate in the nation, 33%. And every math class that I've ever taken tells me that one third of six equals two. And I think the obligation of this committee is to live up to those values of making sure equal representation under the law, and the way I'm not a lawyer, but the way I interpret that is that we have equal protection and that we have an equal opportunity to succeed. Now, I am one of, I like to say the border residents. I live in here in the Garden District in Baton Rouge. But I live on what's known on the south side, which is typically considered black. You walk up the street, you enter the sixth congressional district, Garry Grapes, same neighbors, same powerline, same water infrastructure, but the only thing that is different between my neighbor on Park Boulevard and me on South 18th is I start what known as the Black side of the

city and so I got thrown into the second congressional district. Even though if we took communities of interest of my community and my neighborhood, I would be with my neighbor, Garry Grapes, who lives three blocks down. So, when we talk about community of interest, it seems that the only time Black community of interest matters is when it's being diluted, not when we were giving the opportunity to succeed and have our voices to be heard. And so, like I said, there's a lot of data that's been given and you all know I would do it, but I just wanted to really center what I felt was missing in this conversation is a value of whose voices we consider more and who do we take into account? And that's what I want you to consider. I've been like, I said, this is 15 years. And I'm just kind of a little bit tired of making sure Black and brown people are heard in this state. Thank you, Mr. Chairman.

CHAIRMAN STEFANSKI: Thank you. We do have a question from the vice chair.

REPRESENTATIVE DUPLESSIS: Thank you, Mr. Chairman. Thank you, Mr. Lewis, for your comments. You mentioned the totality of history in this conversation and how we frame our thinking going

forward. Do you know since reconstruction how many Black congresspeople this state has elected?

DEVONTE LEWIS: Five.

REPRESENTATIVE DUPLESSIS: Five. Can you name them?

DEVONTE LEWIS: Representative Carter, Representative Richmond, Representative Jefferson, actually, no. Four.

REPRESENTATIVE DUPLESSIS: [INDISCERNIBLE 02:53:39] in the Senate?

[VOICE OVERLAPS]

DEVONTE LEWIS: Put me on the record there, I'm sorry.

REPRESENTATIVE DUPLESSIS: That was since reconstruction.

DEVONTE LEWIS: Since reconstruction there was a gentlemen elected but was never seated.

REPRESENTATIVE DUPLESSIS: Never seated. Okay, so, I just wanted and I wasn't asking the names or the purposes or having a pop quiz, but just to help illustrate how far we have to go, how far we have to go. And the fact that we are still faced with another map that could potentially - or that would potentially, if it passes, for the next 10 years continue to contribute to that legacy that you spoke

to of - since reconstruction, only having elected five Black people to congress. I think we should all do some real soul-searching about this right now. Thank you for your comments.

CHAIRMAN STEFANSKI: Thank you, Mr. Vice Chair. Appreciate your testimony Mr. Lewis. Thank you for coming today. Also filling out a card in opposition, we have Peter Robins-Brown, we have Chris Kaiser, we have Charles Barjon II.

[02:55:02]

We have Julie Hoffman, we have Susan Bess, we have Mary Thomas, we have Elizabeth Irvine, we have Edgar Cage. We also got a late card in support Michael Bayham. Present not wishing to speak. Members that is all the cards, and the questions that we have. I wanted to get - that's fine. I wanted to get some clarification before I allow the speaker to close from, Representative Carter. I need him in the room though. I wanted to see if he was making a motion earlier. Is he in there?

[back]

Mr. Carter I was holding out - earlier you had started to make a motion. I wanted to give you the opportunity to --

REPRESENTATIVE CARTER: Withdraw my motion to defer because I feel sufficient time to be with making amendments that I want to.

CHAIRMAN STEFANSKI: Okay, thank you, Representative Carter. With that said, I'll allow the speaker --

REPRESENTATIVE CARTER: To make an amendment.

CHAIRMAN STEFANSKI: Yes, sir. With that said, I will allow the speaker to come down and close.

REPRESENTATIVE CARTER: I want to thank everybody on the committee and everybody in the audience in the state for coming out to the roadshows, giving us information us and y'all the hard work that y'all done to listen to these constituents we represent, people back home and that's why we come up here. And I think, the one thing that I've been consistent as a representative and as a speaker that I've always told anybody who's come and ask always vote your district. That's who sent you here. Always vote your district. That's the people that send you here that wants you to make votes and you represent those people. With that being said, the congressional redistricting is a complex process that requires not only strict compliance with population, equality requirements. But also, the appropriate balance between complex,

federal, constitutional and legal considerations, as well as respect for the people and the geography of our state. This is just my attempt to take population geography, communities of interest into consideration to propose amount that I believe is legal and in my opinion in compliance with the law. With that, I ask for your favorable passage.

CHAIRMAN STEFANSKI: Representative Beaullieu is making a motion that we report. We had to report House Bill 1 favorable. I do see an objection from - I see an objection from Representative Jenkins. So, we will vote and we will call the roll. I'll have submit Ms. Amersbach read the roll. Members, we are voting to report favorable. That is the vote.

MS. AMERSBACH: Chairman Stefanski.

CHAIRMAN STEFANSKI: Yes.

MS. AMERSBACH: Yes. Vice Chairman Duplessis.

REPRESENTATIVE DUPLESSIS: No.

MS. AMERSBACH: No. Representative Beaullieu.

REPRESENTATIVE BEAULLIEU: Yes.

MS. AMERSBACH: Yes. Representative Wilford Carter.

REPRESENTATIVE WILFORD CARTER: No.

MS. AMERSBACH: No. Representative Deshotel.

REPRESENTATIVE DESHOTEL: Yes.

MS. AMERSBACH: Yes. Representative Farnum.
REPRESENTATIVE FARNUM: Yes.
MS. AMERSBACH: Yes. Representative Gadberry.
REPRESENTATIVE GADBERRY: Yes.
MS. AMERSBACH: Yes. Representative Hughes.
REPRESENTATIVE HUGHES: Yes.
MS. AMERSBACH: Yes. Representative Horton.
REPRESENTATIVE HORTON: Yes.
MS. AMERSBACH: Yes. Representative Ivey.
REPRESENTATIVE IVEY: Yes.
MS. AMERSBACH: Yes. Representative Jenkins.
REPRESENTATIVE JENKINS: No.
MS. AMERSBACH: No. Representative Mike Johnson.
REPRESENTATIVE MIKE JOHNSON: Yes.
MS. AMERSBACH: Yes. Representative LaCombe.
REPRESENTATIVE LACOMBE: Yes.
MS. AMERSBACH: Yes. Representative Lyons.
REPRESENTATIVE LYONS: No.
MS. AMERSBACH: No. Representative Magee.
REPRESENTATIVE MAGEE: Yes.
MS. AMERSBACH: Yes. Representative Newell.
REPRESENTATIVE NEWELL: No.
MS. AMERSBACH: No. Representative Thomas.
REPRESENTATIVE THOMAS: Yes.
MS. AMERSBACH: Yes. Representative White.

REPRESENTATIVE WHITE: Yes.

MS. AMERSBACH: Yes. 13 yeas, 5 nays

CHAIRMAN STEFANSKI: 13 yeas, 5 nays and House Bill 1 is reported favorable. Next up, I will ask the Vice Chair to come into the chair and I will present House Bill 2.

[OVERLAY]

[AUDIO GAP]

[03:00:00]

[AUDIO GAP]

[OVERLAY]

KYLE ARDOIN: Chairman Stefanski, obviously the floor is yours on HB-2. So, you obviously proceed when you're ready.

CHAIRMAN STEFANSKI: Absolutely. So, members, again, this is, you know, this is my attempt to do PSC. I started. I sat down and looked at the geography of the state, tried to look at communities of interest, looked at population, used the current map as a starting point, and tried to come up with what I thought was a good attempt at getting this thing drawn. As you can see, the 5th District remains kind of a North Louisiana District. The 4th remains in the corner, in the southwest corner of our state. The second is kind of splits, you know, goes from

Lafayette and then wraps around the 3rd District. The 3rd District is, as you can see, kind of follows the River from New Orleans to East Baton Rouge, and it is a majority-minority district. And then, the 1st, it stays pretty much same and kind of the toe of the state running from Lafourche Blackmans all the way up to Livingston and St. Helena. So, I'm happy to answer any questions about the map. Happy to talk about anything you all want to ask me.

KYLE ARDOIN: Question for representative Jenkins.

REPRESENTATIVE JENKINS: Thank you, Mr. Vice Chair. First of all, let me compliment you not only on your work that you've done on this particular map, but I'll thank anybody who's worked as hard as you on this redistricting process. In fact, I got a little word about you yesterday when I saw you. You had a lot going on.

CHAIRMAN STEFANSKI: It was a long day, long day.

REPRESENTATIVE JENKINS: And I'll be honest with you, I know this is a difficult one, no doubt about it, no matter of what point of view you have about it, just because of the geography and the amount of geography that it takes in. I guess the only questions I had about it was rather not - did we look

at - rather we can make some of these districts a little more competitive? You know I've noticed in District 1, and I wasn't going to vote on age population, we've got 6917, in District 2 7020, and District 4 6725. Did we take a look at it to see if something could have been done to maybe make some of the districts a little more competitive as far as those voting age populations?

CHAIRMAN STEFANSKI: What's your definition of competitive?

REPRESENTATIVE JENKINS: You know, if we kind of got those ratios down. I saw at least one map that had District 1 at 4738, District 2, 5239 and—

CHAIRMAN STEFANSKI: Yeah, and so Representative, I'll tell you, one of my goals, you know, is to make sure that we maintain that majority-minority district. I think that's important. There's only five PSC seats. That's a lot of people, you know, it's 900,000, give or take, people. And you know, kind of starting this and taking what we currently have. I said, you know, we need to make sure that majority-minority district is maintained. And then, I kind of just built out from there, you know. So, I'll tell you from a long - and again, that's why I asked what your definition of competitive, you know? I think

that could mean a lot of different things to a lot of different people, but I'll tell you, I did take special consideration to make sure that our one majority-minority district remained consistent.

REPRESENTATIVE JENKINS: Right. And overall, you know, I'll be honest with you, I think this was a good attempt and some balances. It's just a difficult map to change, to make too many changes too. So, I appreciate what has been done here. Thank you, Mr. Chairman.

KYLE ARDOIN: I don't see any other questions, but I do want to point out, Chairman, that I recognize, and I think we all recognize that with five seats, we see the difference and the challenge between this conversation around five seats versus the last one we just had in terms of the congressional maps versus six. So, I acknowledge that. It's increasingly difficult to try to secure or try to have an opportunity district for a second district when there is only five seats, constitutionally, on the Public Service Commission.

[03:05:03]

CHAIRMAN STEFANSKI: And you know, but I will point out District 5, you know. I mean those demographics are pretty diverse, I would say. And so,

you know what, I think when you look at the map as a whole, I think it does a pretty decent job of reflecting our demographics.

KYLE ARDOIN: Yeah, I mean District 5 certainly is I would say more, probably more competitive than some of the other districts that do go down that path and that trend of just, you know, you have populations in these communities that are just underrepresented.

CHAIRMAN STEFANSKI: And I'll tell you, members, this is the one map, you know, on Roadshow and then what has dominated my last year, this whole - everything that deals with redistricting. This is the one map that I know a lot of people do in our state point to and go. Well, that kind of makes sense. You know, I hear that a lot about this one and I took that into consideration when I said, if I've heard that before, maybe let's start from where we are right now and just try to get those numbers in line.

KYLE ARDOIN: Well, I certainly appreciate your leadership on it. I know you put a lot of time into this, you taking the process. So, I don't have any other questions at this time, but we do have a card from one member of the public. Let's see, he does not

wish to speak. So, I don't think you need to leave [INDISCERNIBLE 03:06:21].

CHAIRMAN STEFANSKI: It's okay. And members, like I said, if we're in a posture to close—

KYLE ARDOIN: I'm just going to read the card.

CHAIRMAN STEFANSKI: Yeah, go ahead. Yeah.

KYLE ARDOIN: I'm just going to read the card, and this is a card in opposition, present does not wish to speak, Janea Jamison with the Power Coalition. That's the only card we got in opposition. So, please, Mr. Chairman.

CHAIRMAN STEFANSKI: Yeah, so remembers like I said, I started with where we started from. Make sure to maintain our majority-minority district. You know, we have a good bit of leeway in this. This is 900,000 with your deviation. I think it's a good attempt to regionalize what the PSC does, which is, regulates utilities and among other things. And so, I hope you'll join me in supporting this and moving forward in the process.

KYLE ARDOIN: All right, do we have a motion?

CHAIRMAN STEFANSKI: I'll move.

KYLE ARDOIN: All right, motion from the Chair, seconded by Representative Johnson. Any opposition? Seeing none? We're going to move favorably.

CHAIRMAN STEFANSKI: Thank you—

KYLE ARDOIN: Thank you.

[AUDIO GAP]

CHAIRMAN STEFANSKI: Members, next we're going to go to House Bill 3. This is a BESE map by Representative Thomas, co-authored by representative Gadberry. So, members, Representative Thomas and Gadberry, whenever you all are ready.

REPRESENTATIVE THOMAS: Okay, give me a couple of minutes. Good afternoon, members. This is my attempt at the redrawing the BESE Maps because they are malapportioned. When I sought to draw this map, I needed to honor the traditional lines to the extent practicable. I worked to equalize the population based on geography and communities of interest, and I sought to draw districts so that citizens are able to elect a candidate of their choice. In The malapportionment, District 1 had a deviation of 0.04%. In our bill, it has as drawn, it has a deviation of 0.036%. District 2 currently has a malapportionment of -2.64% and as drawn, it has a malapportionment of -2.6. So, that remains about the same. District 3 was a -7.13. So, we had to make significant changes there. As drawn in House Bill 3, it only has a malapportionment of -1.326.

[03:09:58]

District 4 had a malapportionment of -1.56 and as drawn in House Bill 3, it maintains almost exactly the same. 1.558. District 5 had a malapportionment of -0.11 and it has now a +3.021. District 6 was way over. It had a malapportionment of 13.07% and as drawn now in House Bill 3, it only has a malapportionment of 2.62%. District 7 had a malapportionment of 8.36. And now in House Bill 3, it has only 1.194%. And District 8 started with a -10.03% and now has only -1.387%. In doing the - looking at how to take into consideration other maps that were presented, our staff did a plan evaluation form, and I'd like to give you some of those comparisons. I know you have that in front of you, but I condensed it a little bit. In the current BESE distribution or the current BESE Maps, the overall deviation is 23.09%. In the map that was presented by NAACP Option 1, there is an 8.3% deviation. In their map number 2, there's a 7.98 deviation and we had a map presented by Fair Districts as well and that deviation is 3.63. In our proposal House Bill 3, the overall deviation is 5.62%. I now move to split parishes and I believe that the parishes - that this is an important consideration because we are talking

about the state's school board and parishes are, with the exception of two communities, they are organized by parishes. In the current BESE plan, there are 14 split parishes. In the NAACP number 1 plan, there are 18 split parishes. In their number 2 plan, there are 26 split parishes. In the fair districts, there are 23 split parishes and in our House Bill 3, there are only 12 split parishes. I'd also like to point out, or call your attention to split municipalities. In the current BESE distribution or maps, there are 35 split municipalities. And by the way, I learned that there are 303 identified municipalities in our state. I thought that was large. The NAACP number 1 plan has 31 split municipalities. Their number 2 plan has 57 split municipalities. The Fair Districts plan has 29, and our district has 27. I think you're beginning to see that all of the numbers in House Bill 3 are superior to any of the other plans. The last in the evaluation plan that I would like to present to you is split precincts. Currently in BESE, there are 60 split precincts in the NAACP number 1 plan, there are two. In their number 2 plan, there are 27. The fair districts plan has zero and ours has zero. If you have any questions, I'd entertain them.

CHAIRMAN STEFANSKI: I'm curious, did you take into consideration school districts when forming this map? Because obviously BESE School K-12, so I'm just curious about maybe how that works in the structure?

[03:14:59]

REPRESENTATIVE THOMAS: They are organized by parishes typically organized by parishes. And so that's why I talked about the split parishes.

CHAIRMAN STEFANSKI: For question, Representative Carter.

REPRESENTATIVE CARTER: Thank you, Mr. Chairman. Rep, I just noticed one thing. You made a comment about everything you will consider to make this plan better so you think, but what is the most primary purpose of drawing this map? What was the criteria that we sought after when we did the legislation that would set the groundwork of how we draw these maps? Isn't one of them Section 2, both [PH 03:15:39] right there?

REPRESENTATIVE THOMAS: Of course.

REPRESENTATIVE CARTER: Okay. Now if you take four and five, Districts 4 and 5. District 4 has about I think 37% Black population and the [PH 03:15:50] other one's 34, and they're side-by-side,

and I noticed the fair - what do you call that group, the fair?

REPRESENTATIVE THOMAS: I believe they call themselves fair districts.

REPRESENTATIVE CARTER: Yeah. They pretty much have pretty much all the criteria you've mentioned that your map had except they have three Black districts. Is that true?

REPRESENTATIVE THOMAS: Actually not looking at the map right now, and—

REPRESENTATIVE CARTER: I don't have it before me right now but I think it does, anyway, maybe I'm wrong. But if you flip 4 and 5, if you put a [INDISCERNIBLE 03:16:35] running Arkansas, each one of them, they're running half the state, north and south. If you flip them around, around east and west, both of them, you probably have a district that is not a majority district, pretty close a majority district, like 40%. You know, I didn't run the numbers, but did you all try to come up with a district that would create another minority district? Was that part of it, is all I'm saying?

REPRESENTATIVE THOMAS: What we did was we - the maps that were submitted, we did a plan of evaluation

on those and that's some of the numbers that I read to you.

REPRESENTATIVE CARTER: Just listening to you, that Fair District of maps was pretty much close like, it had all the - I think you had about two more or less [PH 03:17:25] parachutes you split up or precincts. It was pretty much the closest thing to your map.

REPRESENTATIVE THOMAS: Well, it's close, but it's not -it's not superior to what I—

REPRESENTATIVE CARTER: And it didn't have a deviation of over 4% or 5%. It was three point something percent.

REPRESENTATIVE THOMAS: Correct.

REPRESENTATIVE CARTER: Okay. That was the worst deviation in that map. And I guess the answer to my question is, when you prepared this map, did you take into consideration trying to create another minority, a Black majority map district? Was that a key part of your criteria?

REPRESENTATIVE THOMAS: We did the evaluation, the plan evaluation of the maps that were submitted.

REPRESENTATIVE CARTER: Okay. Okay. So, this map, was it done with like the assistance of a demographer or did you and both representatives sat down with

1 staff and draw this map and did it [INDISCERNIBLE
2 03:18:26]?
3 REPRESENTATIVE THOMAS: I sat with Staff.
4 REPRESENTATIVE CARTER: Okay. So, a hired
5 demographer didn't draw this map?
6 REPRESENTATIVE THOMAS: No.
7 REPRESENTATIVE CARTER: Okay. All right, that's
8 all I have.
9 REPRESENTATIVE THOMAS: Do you think it would
10 have been better if that had happened?
11 REPRESENTATIVE CARTER: I kind of like the Fair
12 District map, you know, that's all I'm saying, and I
13 think the reason why it is different because they
14 really took into consideration Section 2 of the
15 Voting Rights Act when they prepared the map.
16 CHAIRMAN STEFANSKI: Thank you. Representative
17 Carter. For a question, Speaker Pro. Temp. Magee.
18 REPRESENTATIVE MAGEE: Thank you, Mr. Chairman,
19 and thank you, Polly, for all your hard work on the
20 map. I think it's a great map. My thing is really
21 like questions or comment and one thing I noticed is
22 as soon as we stopped talking about the Congressional
23 map, the entire public left the room, and we're left
24 with like three people who are from General Public
25 here. And I just want to comment because in reality,

BESE has more impact on the daily lives of Louisianans than the Congressional map does, it really does, based—

REPRESENTATIVE THOMAS: School policy.

REPRESENTATIVE MAGEE: School policy, education policy is I think is something that me and Royce will agree on is one of the most important issues that face Louisiana. And as soon as we quit talking about the thing that comes on their televisions every night, they all left the room. And I think it's sad, I really do. I wish we had more public people. I wish we had the same kind of interest that a map to be a member of one of 435 people who, who have very little power on their own in reality versus, you know, the members of BESE who are very powerful and control the Board of Education in the state, I just wish we saw the same sort of public input.

[03:20:12]

That's all I've got.

REPRESENTATIVE THOMAS: Thank you. Thank you for your comment

CHAIRMAN STEFANSKI: Thank you Mr. Pro Temp. For a question, Representative Jenkins.

REPRESENTATIVE JENKINS: Let me express appreciation of both of you on the work that you've

done. I know none of this is easy and it takes a lot of time to get involved in it but I do want to say, I share the concern somewhat of, Representative Carter. The BESE board has eight elected members, is that right?

REPRESENTATIVE THOMAS: That's correct.

REPRESENTATIVE JENKINS: And presently, I think two of those districts are minority districts. I believe District 2 and District 8.

REPRESENTATIVE THOMAS: Correct.

REPRESENTATIVE JENKINS: So, the plan that you all have basically maintains the same status quo. We only have two minority districts under this plan.

REPRESENTATIVE THOMAS: We have two minority districts. That's correct. Majority Black.

REPRESENTATIVE JENKINS: Right. Now, I was trying to follow so I wouldn't have to repeat the same questions that Judge Carter asked but I'm not sure if I heard an answer that I understood anyway. Was there an attempt to try to add any minority districts to the BESE board? The eight elected districts.

REPRESENTATIVE THOMAS: We evaluated the plans, the maps that were submitted. Two maps were submitted by the NAACP and one map was submitted by Fair Districts and we evaluated all of those.

REPRESENTATIVE JENKINS: Okay. And Fair Districts and the NAACP, both of those maps had three of the eight districts being minority, is that right?

REPRESENTATIVE THOMAS: We evaluated what they presented.

REPRESENTATIVE JENKINS: Right. According to what I looked at, each one of those maps had three of the eight elected positions being minority. So, I'm trying to find out if as a part of your analysis, what reason did you see that third minority seat could not be created?

REPRESENTATIVE THOMAS: Well, as I read to you what the numbers were that came from the plan evaluation, for example, too many split parishes, too many split municipalities, too many split precincts in those plans compared to House Bill 3.

REPRESENTATIVE JENKINS: Okay. I was trying to get some appreciation for what you're saying. So, you felt like the only way you could get to a third BESE seat would be prevented by some split precincts and parishes?

REPRESENTATIVE THOMAS: We have to follow the numbers. You have to follow the numbers.

REPRESENTATIVE JENKINS: Right, but I'm just trying to make sure I understand your answer because

we're doing a record here and I don't have any problem with your answer but I'm just trying to make sure I understand it. You felt like you couldn't get to a third minority seat on the BESE board because of split precincts. Is that the reason?

REPRESENTATIVE THOMAS: Well, the numbers did not support it in the plan evaluation and there were a lot of things in the plan evaluation.

REPRESENTATIVE JENKINS: Do you feel like if a third minority seat on a BESE board could be created? Do you feel like we should create one if that can be done?

REPRESENTATIVE THOMAS: I believe that these numbers speak for themselves.

REPRESENTATIVE JENKINS: Here's what I'm asking. Do you believe that if a plan can be created where you can reach three minority seats on the BESE board, do you think that's a plan that we should create or that we should try to move forward with?

[03:25:00]

REPRESENTATIVE THOMAS: As I said, with staff have evaluated these plans that were submitted. I have presented the numbers to you and I believe that you already actually have the numbers. I just condensed them in what I believe is more

1 understandable format and the numbers that are
2 attached to House Build 3 are superior to the other
3 plans.
4 REPRESENTATIVE JENKINS: No. I understand your
5 reasoning for not wanting to create a third minority
6 seat on the BESE board based on the analysis of the
7 Fair Districts map and the NAACP map. So, I
8 understand you said and I could accept whatever
9 answer you gave, split precincts and things like
10 that. This is a somewhat different question I guess
11 I'm asking now and you may or may not know. Okay? My
12 question is, if there was a plan that could get you
13 to a third minority seat on the BESE board that did
14 not encompass the problems you saw with Fair
15 Districts and NAACP, do you think that's the plan?
16 REPRESENTATIVE THOMAS: But those problems do
17 exist.
18 REPRESENTATIVE JENKINS: With any plans that
19 would come forward?
20 REPRESENTATIVE THOMAS: The plans that were
21 submitted, the maps that were submitted in the
22 evaluation, their numbers were not nearly as good as
23 House Bill 3.
24 REPRESENTATIVE JENKINS: Right. No, I understand.
25 Let's kind of depart from that. You gave a very good

answer on that. I don't have a problem with that, Representative, okay. You gave me what you felt was a reason why you couldn't go along with Fair Districts and NAACP. I'm just saying we're doing this based upon 2020 systems numbers just like the congressional districts and other bodies that we've got to redistrict. Am I correct? It is based upon 2020 census numbers here, right?

REPRESENTATIVE THOMAS: Absolutely.

REPRESENTATIVE JENKINS: Okay. And we do know that according to those numbers, almost a third of the state of Louisiana is African-American. Do we have any disagreement about that?

REPRESENTATIVE THOMAS: Do you know what a third of eight is?

REPRESENTATIVE JENKINS: I know what that is. I understand.

REPRESENTATIVE THOMAS: What is it?

REPRESENTATIVE JENKINS: It's about 2.5, maybe 3?

REPRESENTATIVE THOMAS: No, it's 37.

REPRESENTATIVE JENKINS: Okay. Here's what I'm asking you. If there is a plan that was presented that could get you to three districts minority seats, what I'm asking is, do you think we should at least pursue that plan should that plan go forward?

REPRESENTATIVE THOMAS: These are the plans that were submitted. These are the plans that we evaluated. The numbers that were evaluated with HB 3 are superior to any of those plans.

REPRESENTATIVE JENKINS: So, you don't think there's any plan that could get three minority seats on the BESE board?

REPRESENTATIVE THOMAS: I will repeat, there were three plans submitted in addition to House Bill 3 and the numbers with House Bill 3 are superior to the other plans that were submitted.

REPRESENTATIVE JENKINS: Okay, all right. Well, thank you for answering my questions. I appreciate it. Thank you Mr. Chairman.

CHAIRMAN STEFANSKI: Yes, Representative Jenkins for your question. Representative LaCombe.

REPRESENTATIVE LACOMBE: Thank you, Ms. Polly. I know that this is a tough job so I applaud you for taking on the endeavor of filing bills, putting it forward and going through this redistricting stuff and all this is very technical and difficult and I appreciate it. Where I come from those and I hear a lot of things about split parishes and whatnot, my parish is split in this plan. My parish was split in the other plan. So currently, as today my parish

point was split. We have two separate BESE board members. My particular hometown where I grew up in school that I went to is in a district that is also and this is in lower Pointe Coupée Parish that comprises St. Bernard, Plaquemines, La Fourche, Terrebonne and St. Mary. So, to get to St. Bernard, Plaquemines, La Fourche and Terrebonne, I have to drive through three other BESE districts to get there. The configuration of this map and how it was put together and the demographics and all throw at a side. This map from an eye test sort of doesn't do what we've done in all these other maps and all these other districts and all the other things because it just really kind of places people in what looked like in Livonia and [INDISCERNIBLE 03:29:49] and Opelousas in the same district as Venice and all of St. Bernard Parish and Plaquemines Parish.

[03:30:00]

And so, you have people as low as Venice, Louisiana being represented by the same person as in Livonia, Louisiana. There's got to be a better way. When I say there's got to be a better way, there's got to be a better way that we could split the whole state of Louisiana into eight districts without having that confusion. And I could see some issues

because my colleague and I were talking like if you had East Baton Rouge Parish where you had multiple school districts, you have an independent central district, you had an independent baker, an independent Zachary and the school system of East Baton Rouge, then maybe splitting a district or parish like that where those districts are segregated out may be reasonable. But when you have a parish like Pointe Coupée where we have one public school system, there is no separate independent districts to have two different sectors. So the Northern part of Pointe Coupée which where I live in New Roads now has the same member as Washington Parish and St. Helena, East Feliciana, West Feliciana, those kind of makes sense. But when you look at the lower half of Pointe Coupée and the Eastern half of St. Landry to be in the same district as St. Bernard and Plaquemines, it doesn't make a lot of sense from an eye test. And I echo exactly what Speaker Pro Tem Magee said a while ago. This BESE district, these maps for the BESE board, they have a greater impact on the everyday lives of school children and parents in this state than any other thing that we're going to do in here. And it is disappointing to look out and see so few people have chimed in from the public on this. I'm

kind of appalled by it myself because we are going to have bills that's going to be significant social wedging bills that's going to come in the regular session that deal with school curriculum, that deal with contents of things that are going to be taught in schools. We're going to be dealing with all of the issues surrounding COVID and how schools reacted to it and all that. That constitutionally falls under BESE. So, we'll have bills here that we're going to be debating in the legislature that really is in the purview of BESE and really should be dealt with in the purview of these educational professionals because people who are BESE members and the school boards that are attached to them, they set the curriculums, they set the issues that's going to surround every one of the school children in the state and not so much the legislators. And to see so few people actually gave input into making these districts reasonable, better, the maps better looking, I find it sort of appalling. And I know I'm probably not alone in that and this is not an indictment against you, Ms. Polly. I'm making it only because we're just the first opportunity we have that we're talking about BESE maps. And at the end of the day, there's no reason that our legislature is going

to have to deal with issues in the regular session that really fall under the constitutional purview of BESE. And so, here we are talking about maps and there's really not any other alternative or there really isn't any other things that I've seen so far that come to light when it comes to these BESE board members. It's just very discouraging. It really is because the state of education depends on these people, these eight people who are duly elected in very large districts. I mean there's only eight of them so we're splitting the state up across the board. And at the end of the day, we haven't really seen much of a dialogue or a topic in regards to what these districts should look like, should not look like, the maps, the concerns. Ms. Polly, I can't support the bill because it still puts us in a situation where my home parish is one of the few that's split. Maybe when we get to the floor, maybe wherever we go at some point, we can all work on it but there's got to be a way to make eight districts that does not split parishes. And I didn't like it. And Ms. Polly, this is not an indictment on your work because you're trying to do what's best interests across the board but it's like I don't know how many

parishes are split up under your plan. You probably have that.

REPRESENTATIVE THOMAS: Twelve.

REPRESENTATIVE LACOMBE: Yeah. So, there's going to be 12 parishes out of the 64 in the state that at the end of the day are going to get split in some mechanism under your plan. Some of the other plans may be way more than that. I don't know. They may have alternatives to that that's way more. My gut tells me the --.

REPRESENTATIVE THOMAS: The largest one is 26.

REPRESENTATIVE LACOMBE: See?

REPRESENTATIVE THOMAS: And currently, there are 14 as the BESE configuration for right now.

[03:35:04]

REPRESENTATIVE LACOMBE: Yes, ma'am.

REPRESENTATIVE THOMAS: Split parishes are 14.

REPRESENTATIVE LACOMBE: So, you actually decreased the number of split parishes with this configuration than what's currently existing. I commend you on that. I'm sure that there's two parishes out there that were probably very happy. So, I thank you for that right to help.

REPRESENTATIVE THOMAS: Remember, we're driven by numbers.

REPRESENTATIVE LACOMBE: Yes, ma'am. I know. I just know that there's got to be a way that we can get to maybe configuring eight without having it. But I also say this, Ms. Polly, my grandma used to tell me all the time, "Don't bash somebody else's thing unless you're willing to present your own mechanism. That's better." I don't have them.

REPRESENTATIVE THOMAS: Your grandmother is very wise.

REPRESENTATIVE LACOMBE: Yes, ma'am. I just know that certainly by time this gets through the entire legislative process. Today is the first step in all this. By time this gets through the whole legislative process, maybe all in the infinite wisdom of all 139 members that serve up here, we can maybe come up to find a way that doesn't split so many parishes.

REPRESENTATIVE THOMAS: Actually, it's 144.

REPRESENTATIVE LACOMBE: Yeah, you see. That's why I can't do math, Ms. Polly.

REPRESENTATIVE THOMAS: If you have an iPhone, you have a calculator on your iPhone.

REPRESENTATIVE LACOMBE: Well, I know. And since you told me that, I was thinking the same thing when you said 2 minus and 2 divided by 8 was 37.

CHAIRMAN STEFANSKI: Representative Thomas, he and I went to law school.

REPRESENTATIVE LACOMBE: Yes.

REPRESENTATIVE THOMAS: Does that mean you don't do numbers?

CHAIRMAN STEFANSKI: Don't do numbers.

REPRESENTATIVE LACOMBE: I will tell you. Chairman Stefanski is absolutely correct. We don't deal with a whole lot of math and Representative Beaullieu has embarrassed me once in a committee because he does math for a living. So, I usually try not to get into that. I just know that there's got to be a way up here that we can get to something that doesn't split so many parishes on this because school systems usually are comprised with one parish.

REPRESENTATIVE THOMAS: Right.

REPRESENTATIVE LACOMBE: And when we start splitting a parish, we're splitting up systems. So, I guess that's my point and I've made it. So, thank you, Ms. Polly, I appreciate it.

CHAIRMAN STEFANSKI: Thank you Representative LaCombe. For a question, Vice Chair Duplessis.

VICE CHAIR DUPLESSIS: Thank you, Mr. Chairman. Good afternoon, Representative Thomas. I'm going to call you Dr. Thomas. Thank you for your work on this.

I just had a few questions with respect to this plan in comparison to some of the other plans that have been presented. So, I guess my first question is, are we prohibited from splitting parishes and municipalities? I think we know the answer to that. We're not prohibited, correct?

REPRESENTATIVE THOMAS: No, we're not prohibited.

VICE CHAIR DUPLESSIS: It might not be ideal and the goal may be to try to reduce that as much as possible so, I know the lens in which you have approached yours or the path in which you have approached yours is you say you follow the numbers and that yours is superior because you have fewer split parishes, fewer split municipalities. Those are numbers in which we cannot deny. But is it your belief that just measuring municipalities and parishes alone or split parishes, municipalities and/or precincts is the primary driver of our analysis? Do we not consider other factors in addition to that when making the determination about how we draw these districts?

REPRESENTATIVE THOMAS: What other factors?

VICE CHAIR DUPLESSIS: Competitiveness. Racial makeup. The Voting Rights Act.

REPRESENTATIVE THOMAS: House Bill 3 maintains the two majority Black districts that we currently have.

VICE CHAIR DUPLESSIS: Right. I recognize that. But similar to other conversations we've had earlier today, the plan that was put forward there also maintained what we currently have but there was a lot of discussion around, do we have a responsibility as we draw these maps through policy or under law to try to be inclusive, to try to ensure we're giving everyone that opportunity to elect the candidate of choice? Are we doing our best? It's my understanding that nearly half of the percentage students in our schools are made up of nearly half minority in our public school system throughout the state. I find BESE to be very important in terms of representation because when you do the math that two out of six, that's not proportional. I'm sorry. Two out of eight, I should say, the two out of eight.

REPRESENTATIVE THOMAS: Let me remind you also that BESE also does set policy or has to approve non-public schools. So, this is not just public schools. BESE is not just over public schools.

VICE CHAIR DUPLESSIS: Well, I just use that as a point to try to illustrate. I think it's more than just the numbers we have to look at.

[03:40:00]

REPRESENTATIVE THOMAS: I work to equalize the population based on geography and communities of interest. And I sought to make districts so citizens are able to elect a candidate of their choice. So, those were goals.

VICE CHAIRMAN DUPLESSIS: And I think a lot of these boils down to where we place our priorities. I'm looking at a map right now that while it does contain nearly double the amount of split parishes that your map does.It also allows for an additional seat that would be for minorities in the certain part of the state to be able to elect the candidate of choice. So, while it does have split municipalities and split parishes, zero split precincts in the plan that I'm referring to, it does allow for an additional majority/minority seat. So, I'm just concerned that we placed more priority in this plan that you've given us today.We've placed more of priority on reducing a number of split parishes and municipalities. We've emphasized that over the opportunity to create an additional majority/minority

seat. And that is something that I think fundamentally we should be concerned with because I think that the opportunity for people in the Northern part of the state to select a majority/minority candidate, to me, outweighs whether or not you have 24 split parishes or whether you have 12 split parishes. Because we're going to have split parishes. While it is a goal, I think this is also around our values and about making sure people have representation. So, that's the concern I have. I understand following the numbers but if we simply follow the numbers, a lot of people will get left behind.

CHAIRMAN STEFANSKI: Is that it, Mr. Representative?

VICE CHAIRMAN DUPLESSIS: Yeah.

CHAIRMAN STEFANSKI:Thank you.

VICE CHAIRMAN DUPLESSIS: Thank you.

MICHAEL PERNICK: Representative Thomas, in drawing your map, I'm sure was asked earlier, do you use any consultants to draw your map or did you draw your map?

REPRESENTATIVE THOMAS: I did it.

MICHAEL PERNICK: Okay. And the other maps we're talking about were drawn by other groups and special interest groups?

REPRESENTATIVE THOMAS: Yes.

MICHAEL PERNICK: Okay. Representative Carter with a question.

REPRESENTATIVE CARTER: Thank you, Mr. Speaker Pro Tem. Representative Thomas, this is was the point I was trying to making out. I was talking about that fair district thing that I was wrong on that. That's not a three-majority map. Okay? It was written [INDISCERNIBLE: 03:42:45] in which you addressed that the one had 7 percent, I think you said 7 percent deviation, one of them. But you say your map is superior primarily because of three reason to understand. Number one, it was in the deviation. It says, at least one with the less deviation. Okay? And number two, it took in consideration the numbers, the population that we have to deal with. And it's pretty much similar to the map we got now except you corrected the problem here in the map, that it didn't split parish. This split in mini parishes, it did split in mini precinct. My question to you is, where is it up in our legislation we passed set forth the criteria that we're going to base our maps on, our

real portion on that says you got to have a limited number of split parishes? And there's something that talks about splitting precincts but I don't think that's a criteria that we set up as what we're going use to consider these reapportionment maps. Parish is not one of them, splitting parish is not one of them. Do you agree?

REPRESENTATIVE THOMAS: You ready for my answer?

REPRESENTATIVE CARTER: Yes ma'am.

MICHAEL PERNICK: You need to be clear though. You never did say your map is superior. If I understood your testimony on your map, was that these were the factors that you liked about your map and the good points of your map. I don't think I ever heard --

REPRESENTATIVE THOMAS: I did say that the numbers were superior.

MICHAEL PERNICK: Right. I think you've said your map was superior.

REPRESENTATIVE THOMAS: Right. The reason that parishes are important to consider for BESE, is because that's the way that schools are organized. School systems are organized typically via parishes.

REPRESENTATIVE CARTER: I understand that and I'm giving you --

REPRESENTATIVE THOMAS: But that's why it's an important consideration. It's an important variable to consider when considering a BESE map.

REPRESENTATIVE CARTER: Yes ma'am. But my point is not in the legislation. That depends.

REPRESENTATIVE THOMAS: No, it's only common sense.

REPRESENTATIVE CARTER: But it's not in the legislation if it was so common sense, you should have been in legislation. As to BESE, we got non-split parishes. I'm just going by what's in the legislation that we decide we will use to draw these maps. One of the things in the legislation --

[03:45:00]

-- that we said we are going to use, is the Section 2 the Voting Rights Act. And I don't know if you took that into consideration as to the Section 2 the Voting Rights Act. And well, I'm asking, did you take Section 2 of the Voting Rights Act into consideration?

REPRESENTATIVE THOMAS: When the plan was evaluated by staff, that obviously is something that is considered,if that's a consideration.

REPRESENTATIVE CARTER: No. I understand what you're saying. You consider all the plans. But when

1 you did this map, you yourself and your colleagues
2 that you work with did not take Section 2 of the
3 Voting Rights Act into consideration.
4 REPRESENTATIVE THOMAS: Of course, we did.
5 REPRESENTATIVE CARTER: Well, how? Tell me how.
6 What problem was presented that what kept you from
7 creating a third district? Because if you flip five
8 and four, if you flip five and four and run Monroe
9 and [INDISCERNIBLE: 03:46:05]report together and come
10 pretty much almost the same map you got now but
11 you're flipping the east and west and north and
12 south. You're going to get a district that is closer
13 to - it either be a majority that district 51 percent
14 there about are pretty close to it. So, it's just a
15 matter where you done it, if you tried to flip it and
16 see what the numbers come up with that four and five.
17 One has 34 percent, one has 37 percent minority. All
18 I'm saying is, it is because if you had - when you're
19 running north and south instead of primarily east and
20 west. Did you try it and see how it worked out?
21 REPRESENTATIVE THOMAS: Are you familiar with
22 this plan evaluation that was drawn out by the staff?
23 REPRESENTATIVE CARTER: No. I'm familiar with the
24 legislation we passed saying that when we're going to
25 criteria, we're going to use it to create these maps.

I'm familiar with the Bill we all voted on. And I just don't think there's enough attention to Section 2. I mean, I agree with - let me ask this, because maybe I misspoke because you said your map was superior and --

REPRESENTATIVE THOMAS: I said the numbers were superior.

REPRESENTATIVE CARTER: Okay. So, the numbers are superior. So, what does that mean? What do you mean when you say the numbers are superior? That you're in the margin of closer to deviation point?

REPRESENTATIVE THOMAS: Right.

REPRESENTATIVE CARTER: At least the deviation point? That's the superior?

REPRESENTATIVE THOMAS: Among other things.

REPRESENTATIVE CARTER: Okay. So, what else beside the deviation of between the districts --

REPRESENTATIVE THOMAS: Splitting parishes, splitting municipalities and splitting precincts and overall deviation.

REPRESENTATIVE CARTER: That's what I thought. So, all those criterias you have, other than the deviation point, is really not part of the legislation authorization we pass to consider. Okay? Even if they may be good and make common sense, all

that stuff, but that's not part of the legislation that we passed saying, that's what criteria we're going to use. That's all I'm saying. And I know it's a lot of work and I know at least you keep the two minority districts, but you didn't, I don't think you did enough work in trying to create another district which is a criteria Section 2 The Votes Right Act. Okay? And so, when you just look at the numbers, eight districts and over 33 percent of the population, that should have been a better, more of an effort to create a third district, unless you had problems doing that. But there was no effort to do that from what I can gather, and that's why I have problem with bill.

REPRESENTATIVE THOMAS: Well, that's your opinion.

REPRESENTATIVE CARTER: That's my opinion.

CHAIRMAN STEFANSKI: Thank you, Representative Carter. Representative Thomas and Gadberry, that does clear the board. I'm going to go to the cards next. Okay? So, if you will see the table for me, please. First, we have Miss Mary Labry. You're going to wait or are you coming up? Okay, okay.

MARY SUSIE LABRY: Got that opportunity, I'm going to use it.

CHAIRMAN STEFANSKI: Yes, Ma'am. Whenever you're ready.

MARY SUSIE LABRY: All I want to say is, like I said about the U.S. Congress before, is not to split parishes, not to split schools and precincts. I wanted to stand in support of House Bill 3, but there's only one exception I'd like to see Representative LaCombe doing amendment to accommodate that point could pay his local area. That's the main thing I want to share that concerns me a lot. And I loved what Representative Magee said, it's what really matters. Schools matter. We need to keep everything on the local level. Frankly speaking, I think we need to run the schools on a local level and I really don't think we need a BC.

[03:50:00]

But right now, we have that and we need to redistrict the BC. But I'd say the main things I said about congress, let the locals run the schools and thank you very much.

CHAIRMAN STEFANSKI: Yes, Ma'am. Thank you very much for coming today. And thank you for your testimony. Present, wishing to speak for information only, we do have Mr. Preston Castille, a current BESE member. I'll invite him up to the table. If any

1 members have any information for him or if you would
2 like to enlighten us on anything.
3 PRESTON CASTILLE: Good afternoon. I'm Preston
4 Castille. I'm a member of BESE, but I'm speaking on
5 my personal behalf. I did want to share. I was
6 actually watching this on video and law office and
7 there are some comments that came up that I felt
8 compelled to actually drive over and address.
9 Representative Thomas reached out to me and I
10 apologize that we didn't get a chance to talk
11 earlier. We did talk briefly last night. When I look
12 at a map, I'm not necessarily offended by it because
13 it looks like the current map that's set up. However,
14 you know, I really do want to speak a little bit to
15 what Representative Duplessis said. And there are a
16 number of references to being concerned about
17 splitting parishes and splitting municipalities. I
18 will tell you that, that's one of the great benefits
19 to this state, is that we've had some of these split
20 parishes and split municipalities. Right here in East
21 Baton Rouge Parish, we have the benefit this year
22 because of a gubernatorial appointment of having
23 three BESE members here supporting the Local
24 District. I would submit to you that I think that's a
25 great benefit to this particular parish. The

1 superintendent gets to hear from multiple voices,
2 gets to hear different perspectives in lots of
3 different ways. And I think that that adds great
4 value. The same thing applies as it relates to
5 municipalities. I happen to share because I'm in
6 District Number 8. Other parishes where I represent
7 the district along with other BESE members, I've
8 never heard anyone say, "This is terrible. Why do we
9 have more representation and more people speaking on
10 our behalf?" I've never had anyone from St. Landry or
11 Lafayette say to me that, "I really only wish one of
12 you men or women represented us so that we would have
13 less of a voice and less of an opportunity to be
14 heard." The same thing applies as it relates again to
15 municipalities. I'm not really sure what I think
16 Representative Thomas about the split precincts.You
17 might have a point about that but as it relates to
18 parishes and to municipalities, I really don't agree
19 with that premise. And where I think I do disagree
20 with the map is that, I really wish that there would
21 be more of an effort when Representative Duplessis
22 made a reference to that half of the students in the
23 state of Louisiana or students of color. And in most
24 years, the representation on BESE is only about 18
25 percent. In terms of fairness, we really aren't

1 addressing that need in terms of having the voices of
2 the people, of the students, of the parents who are
3 in public and non-public schools heard, in the manner
4 that they should. So, while I put in a card because I
5 didn't say, I oppose or was in favor because
6 Representative Thomas and I agreed to get together
7 after this session today. I did want to share at
8 least my perspective as it relates to some of the
9 premises that have been posited today. And as well as
10 the notion that I think we probably could roll up our
11 sleeves a little bit more because when I look at the
12 northern part of the state and I because I know this
13 is very much aired and one of my colleagues in the
14 north, who represent the northern part of the state
15 that this is no offense to them. But on the other
16 hand, there is no representation of the Black and
17 Hispanic population in that part of the city, it's
18 just devoid. And if the objective is to be fair, and
19 this is about a system of justice, I do think that we
20 could roll up our sleeves a little bit more and try
21 to find a more equitable way to have representation
22 as it relates to BESE in our redistricting process.
23 That's it. I just want to share that.
24
25

CHAIRMAN STEFANSKI: We do have one question. Representative LaCombe has a question for you. Two questions.

REPRESENTATIVE LACOMBE: I just want to point out that that's a board member. Mr. Castille is one of my two members that represents us and I'm not saying I don't want

CHAIRMAN STEFANSKI:So you don't know what he is?

REPRESENTATIVE LACOMBE: He's a good member of BESE. I just want to thank him for coming here and providing that input to us.

CHAIRMAN STEFANSKI: Now I know why he had to run down here.

[03:55:00]

REPRESENTATIVE LACOMBE: Exactly when I came back in because I saw him at the table, and I wanted to hear what he had to say.

PRESTON CASTILLE: Yeah. Well, thank you and thank you all. I know you've been doing extraordinarily hard work and RepresentativeStefanski, we met earlier in the year and thank you for reaching out to all of us and this is a difficult process. But we have just, you know, once-in-a-decade opportunity to make some corrections to what we developed and I really would hope that as

1 you work your way through your process, that we give
2 some consideration to how do we make this more
3 equitable.
4 CHAIRMAN STEFANSKI: Speaker Pro TemMagee.
5 TANNER MAGEE: Thank you, Mr. Chairman. I was
6 actually just really struck by your testimony and it
7 got me thinking and I just want to explore more with
8 you because you said that - we said this area ended
9 up with three BESE representatives, talking about
10 Baton Rouge itself ended up with three.
11 [OVERLAY]
12 PRESTON CASTILLE: Yeah, I want to say this
13 earlier, Baton Rouge. So, Baton Rouge, we happen to
14 have the benefit of me in District 8. Ronnie Moore is
15 my elected colleague who represents District 6 and
16 then Belinda Davis who is also an appointed member.
17 So we have three people who live in East Baton Rouge,
18 who happen to share in some way and the district, the
19 students, the parents get to hear from lots of
20 different perspectives because we don't always agree
21 on everything. We do agree to have conversations and
22 have shared conversations with the district and with
23 parents and students. And I just think that that's
24 such a great benefit. That doesn't happen very often.
25 It just happened to happen the last couple of years,

1 and it has been a wonderful learning experience.
2 Frankly, for me as a representative of people, this
3 is my first time holding public office, but to know
4 that people in this District because, you know, we're
5 almost the size of a congressional district, that
6 they can reach out to a number of us, particularly in
7 this area, touches and allow us to have conversation
8 among ourselves and be heard in such a meaningful way
9 is pretty powerful. But it's not only again in East
10 Baton Rouge Parish because my district is probably
11 the one that splits the most parishes. And so in St.
12 Maarten and Lafayette, and a number of places, I just
13 find that there is great value, you know, Dr. Boffy
14 for example, we do the same thing. And because
15 sometimes we have different constituents who want to
16 voice their concerns in different ways, we get to
17 talk about that. And I think it benefits the
18 parishes. And you know, school boards, they don't
19 belong to people. I mean, our two elected officials,
20 they're just made up of people. We just happen to
21 create a geographical boundary lines, but they're
22 just students and their parents and their families
23 and I can't imagine --
24 [OVERLAY]
25

TANNER MAGEE: My concern though is when I hear that, it actually makes me think about this is that, where I'm from my BESE District, which we have a great BESE representative in Ms. Holloway. I'm not commenting on her. But because you're pulling so much representation towards Baton Rouge, diverse communities in Terrebonne are not being represented. And what I mean by that is, I have a population of French-speaking Indians who's becoming before BESE with an issue they're having with their school board in Terrebonne Parish. And I wonder how does that diverse opinion of French-speaking Indians who would like a charter school and are being denied the opportunity of a charter school. How do they get that sort of representation when their representative is all the way in Thibodaux and you're getting to have three?

PRESTON CASTILLE: Yeah, So, you know, one possible solution since we just sort of thinking out loud here is that, you know, you perhaps if you did something really bizarre, like create more districts and I'm not advocating for that. Obviously, we can't make up, we can't reach everybody and because we represent the state, we're intended to cover a lot of ground. As it relates to that particular school and

that particular population, I would say, give us a call. Give me a call. I'll give you my number now and I --

TANNER MAGEE: We will be, don't worry.

PRESTON CASTILLE: Yeah. Yeah. I look forward to it.

TANNER MAGEE: Thank you.

CHAIRMAN STEFANSKI: Thank you, Mr. Pro Tem. That's all the questions. Mr. Castille, thank you for coming. I appreciate.

PRESTON CASTILLE: Great. Thanks for having me.

CHAIRMAN STEFANSKI: Filling out cards in opposition, not wishing to speak, Chris Kaiser with ACLU and Devonte Lewis with Louisiana Budget Project. Representative Thomas and Gadberry, if you would like to come close.

REPRESENTATIVE THOMAS: Thank you, Mr. Chair. We've appreciated the comments and all the conversation and ask for your favorable passage.

[04:00:00]

CHAIRMAN STEFANSKI: If there's any members in the ante room, who would like to vote, now is your time to come out. Members, what's pledge of the committee? Representative Ivey makes a motion that we move favorable on House Bill 3. There is an objection

from Representative Jenkins. [PH 04:00:39] Ms. Amersbach will call the roll members a vote Yes, means the Bill is moved favorable. A vote, No, means the bill remains in committee. Ms. Amersbach

MS. AMERSBACH: Chairman Stefanski.

CHAIRMAN STEFANSKI: Yes.

MS. AMERSBACH: Yes, Vice Chairman Duplessis?

VICE CHAIRMAN DUPLESSIS: No.

MS. AMERSBACH: Representative Borriaque?

REPRESENTATIVE BORRIAQUE: Yes.

MS. AMERSBACH: Yes. Representative Carter?

REPRESENTATIVE CARTER: No.

MS. AMERSBACH: No. Representative Deshotel?

REPRESENTATIVE DESHOTEL: Yes.

MS. AMERSBACH: Yes. Representative Farnum?

REPRESENTATIVE FARNUM: Yes.

MS. AMERSBACH: Yes. Representative Gadberry?

REPRESENTATIVE GADBERRY: Yes.

MS. AMERSBACH: Yes. Representative Hodges?

REPRESENTATIVE HODGES: Yes.

MS. AMERSBACH: Yes. Representative Horton?

REPRESENTATIVE HORTON: Yes.

MS. AMERSBACH: Yes. Representative Ivey?

REPRESENTATIVE IVEY: I'm not saying nothing.

CHAIRMAN STEFANSKI: It was a yes.

MS. AMERSBACH: Yes. Representative Jenkins?

REPRESENTATIVE JENKINS: No.

MS. AMERSBACH: No. Representative Mike Johnson?

REPRESENTATIVE MIKE JOHNSON: Yes.

MS. AMERSBACH: Yes. Representative LaCombe?

REPRESENTATIVE LACOMBE: No.

MS. AMERSBACH: No. Representative Lyons?

REPRESENTATIVE LYONS: No.

MS. AMERSBACH: No. Representative Magee?

REPRESENTATIVE MAGEE: Yes.

MS. AMERSBACH: Yes. Representative Newell? Representative Thomas?

REPRESENTATIVE THOMAS: Yes.

MS. AMERSBACH: Yes. Representative White?

REPRESENTATIVE WHITE: Yes.

MS. AMERSBACH: Yes. Twelve yays, five nays.

CHAIRMAN STEFANSKI: Twelve yays, five nays and House Bill 3 is reported favorably.

REPRESENTATIVE NEWELL: Thank you.

CHAIRMAN STEFANSKI: Members, that concludes our agenda today. Having no other business in front of us, I will entertain a motion to adjourn. Representative Deshotel makes a motion to adjourn without objection.

[04:02:35]

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I, Anders Nelson, hereby certify that the document "F884467-louisiana-redistricting" is, to the best of my knowledge and belief, a true and accurate transcription from English to English.

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April 27, 2022

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