Supreme Court to hear La. remap case

By BILL McMAHON
Capitol news bureau

Louisiana's lawyers have filed arguments with the U.S. Supreme Court supporting the way congressional districts were redrawn in a case that could become the basis for other reapportionment cases around the nation.

In briefs released Wednesday, the state claims the majority black 4th District created by the state Legislature is not much different from a previous majority white district.

The state also argues that the congressional map should not be presumed unconstitutional just because it intentionally created a majority black district.

The brief, signed by Attorney General Richard Ieyoub, lays out the state's position in the lawsuit filed by four north Louisiana voters challenging the creation of two majority black districts.

Ray Hays and three others filed suit in 1992 after the Legislature drew the seven congressional districts, creating a second black majority district in addition to one in the New Orleans area.

Hays and the others charged that the new districts were racially gerrymandered and unconstitutional.

The mostly black 4th District stretched 600 miles across north and east Louisiana, meandering into black precincts in central and south Louisiana.

After the 1992 plan was attacked in federal court, the Legislature drew another plan, this one with a black majority district that runs diagonally across Louisiana from Shreveport to the Baton Rouge area along the Red and Mississippi rivers.

A special federal three-judge court threw out that plan and drew its own. However, the U.S. Supreme Court allowed 1994 elections to go forward under the state's second plan. All seven incumbent congressmen were re-elected last fall.

The high court is now setting the stage to hear appeals.

Paul Hurd, attorney for the four plaintiffs, has another 30 days to file his written arguments.

Hurd said earlier he expects oral arguments before the Supreme Court in March or April and a court ruling in midsummer.

A decision favorable to Hays and the other plaintiffs could affect reapportionment throughout the nation, including the way state legislative districts are drawn, Hurd has said.

Nothing will change if the court rules against the three-judge federal court, which previously ruled that the state's congressional redistricting plan was unconstitutional.