Records of the Louisiana Constitutional Convention of 1979: Journal of Proceedings

Volume I
OFFICIAL JOURNAL
OF THE PROCEEDINGS OF THE
Constitutional Convention
of 1973
of the
STATE OF LOUISIANA

HELD IN ACCORDANCE WITH ACT 2 OF THE
1972 REGULAR SESSION OF THE LEGISLATURE, AS AMENDED

Begun and Held in the City of Baton Rouge, January 5, 1973

BY AUTHORITY

E. L. HENRY
Chairman

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

FIRST DAY'S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Louisiana State University
Friday, January 5, 1973, Baton Rouge, La.

The Convention was called to order in accordance with
Act 2 of the 1972 Regular Session at 12:00 o'clock noon, by
Hon. Joe W. Sanders, Associate Justice, Supreme Court.

Prayer
Prayer was offered by the Most Reverend Philip M. Han-
nan, Archbishop of the Archdiocese of New Orleans and by
the Reverend Scott Tatum of the Broadmoor Baptist Church
of Shreveport.

Petitions, Memorials and
Communications

The following petitions, memorials and communications
were received and read:

State of Louisiana
SECRETARY OF STATE

January 5, 1973

Honorable Joe W. Sanders
Associate Justice, Supreme Court of Louisiana
Acting Chairman
Louisiana Constitutional Convention
Baton Rouge, Louisiana

Dear Judge Sanders:

Attached please find my certifications as to the election
and the appointment of the delegates to the Louisiana Con-
stitutional Convention to be held in accordance with Act 2
of 1972 as reflected in the official files of my office.

With kindest regards, I am

Very truly yours,

WADE O. MARTIN, JR.,
Secretary of State

Enclosures

United States of America
STATE OF LOUISIANA
Wade O. Martin, Jr.

I, the undersigned Secretary of State, of the State of Lou-
isiana do hereby certify that the attached reflects a true and
faithful copy of a list of Delegates elected to the Constitu-
tional Convention in accordance with Act No. 2 of the 1972
Regular Session of the Louisiana Legislature, as shown by
comparison with documents on file in the archives of this
office.

In testimony whereof, I have hereunto set
my hand and caused the Seal of my
Office to be affixed at the City of Baton

WADE O. MARTIN, JR.
Secretary of State

1st Representative District
Jasper K. Smith

2nd Representative District
Alphonse Jackson, Jr.
3rd Representative District
Wellborn Jack
4th Representative District
Tom Stagg
6th Representative District
Frank Fulco
7th Representative District
Dr. Emmett Asseff
8th Representative District
Ford E. Stinson
9th Representative District
Charles “Buddy” Roemer
10th Representative District
R. Harmon Drew
11th Representative District
Bill P. Grier
12th Representative District
Kenneth Dale Kilpatrick
13th Representative District
E. L. “Bubba” Henry
14th Representative District
Paul David Glenn
15th Representative District
Shady Wall
16th Representative District
Judge James L. (Jim) Dennis
17th Representative District
Thomas W. Leigh
18th Representative District
R. M. Elkins
19th Representative District
J. A. (Jim) McDaniel
20th Representative District
Rep. Lantz Womack
21st Representative District
Senator Jim Brown
22nd Representative District
Terry R. Reeves
23rd Representative District
Donald G. Kelly
24th Representative District
H. M. “Mutt” Fowler
25th Representative District
Richard S. Thompson
26th Representative District
Chris J. Roy
27th Representative District
Charles Slay
28th Representative District
Miss Lynn Perkins
29th Representative District
Cecil R. Blair
30th Representative District
F. E. “Pete” Hernandez
31st Representative District
Dr. J. E. Stephenson
32nd Representative District
Errol D. Deshotels
33rd Representative District
A. J. Plancharde
34th Representative District
Gerald N. Weiss, M.D.
35th Representative District
Mack Abraham
36th Representative District
Conway LeBleu
37th Representative District
Greg Arnette, Jr.
38th Representative District
Clyde Fontenot
39th Representative District
Walter J. Champagne, Jr.
40th Representative District
Lawrence B. Sandoz, Jr.
41st Representative District
I. Jackson Burson, Jr.
42nd Representative District
Ralph L. Cowen
43rd Representative District
Pat Juneau
44th Representative District
Heloise C. Corne
45th Representative District
E. J. Chatelain
46th Representative District
J. Burton Willis
47th Representative District
H. G. Hardee, Jr.
48th Representative District
Minos H. Armentor
49th Representative District
Perry Segura
50th Representative District
F. D. "Dan" Winchester
51st Representative District
Anthony J. Guarisco, Jr.
52nd Representative District
Stanwood R. Duval, Jr.
53rd Representative District
Charles A. Badeaux
54th Representative District
Donald T. Bollinger
55th Representative District
Walter I. Lanier, Jr.
56th Representative District
Eual J. Landry, Sr.
57th Representative District
Gorden J. Martin
58th Representative District
N. E. Carmouche
59th Representative District
Louis J. Lambert, Jr.
60th Representative District
Jesse M. Ousso, Sr.
61st Representative District
Herman J. "Monday" Lowe
62nd Representative District
Richard H. Kilbourne
63rd Representative District
George Dewey Hayes
64th Representative District
Gary O'Neill
65th Representative District
Harvey W. Cannon, Jr.
66th Representative District
Louis (Woody) Jenkins
67th Representative District
(Miss) Mary E. Washam
68th Representative District
J. D. DeBlieux
69th Representative District
Robert J. Aeriker
70th Representative District
R. Godron Kean, Jr.
71st Representative District
Calvin C. Fayard, Jr.
72nd Representative District
Joseph (Joe) E. Anzalone, Jr.
73rd Representative District
Aubrey B. Newton
74th Representative District
James T. (Jim) Burns
75th Representative District
B. B. Rayburn
76th Representative District
Alvin D. Singletary
77th Representative District
Edward J. "Eddie" D'Gerolamo
78th Representative District
Wendell H. Gauthier
79th Representative District
Rev. James L. Stovall
80th Representative District
Joseph A. Onino
81st Representative District
David Conroy
82nd Representative District
Harold J. Toce
83rd Representative District
John A. Alario, Jr.
84th Representative District
Dr. Frank J. Ullo
85th Representative District
Joseph F. Toomy
86th Representative District
Matthew R. Sutherland
87th Representative District
Earl J. Schmitt, Jr.
88th Representative District
Mrs. Novyse E. Soniat
89th Representative District
Moise W. Denny
90th Representative District
Thomas A. Casey
91st Representative District
Louis Landrum, Sr.
92nd Representative District
93rd Representative District
Rev. Avery C. Alexander
94th Representative District
Anthony J. Vesich, Jr.
95th Representative District
Claude Mauberret, Jr.
96th Representative District
James G. Derbes
97th Representative District
Thomas A. Velazquez
98th Representative District
Joseph I. Giarrusso, Sr.
99th Representative District
Louis G. Riecke, Sr.
100th Representative District
Philip O. Bergeron
101st Representative District
Johnny Jackson, Jr.
102nd Representative District
Mrs. George E. Warren
103rd Representative District
Elmer R. Tapper
104th Representative District
Samuel B. Nunez, Jr.
105th Representative District
Chalm O. Perez

United States of America
STATE OF LOUISIANA
Wade O. Martin, Jr.

I, the undersigned Secretary of State, of the State of Louisiana do hereby certify that the attached reflects a true and faithful copy of a list of Delegates appointed to the Constitutional Convention in accordance with Act No. 2 of the 1972 Regular Session of the Louisiana Legislature, as shown by comparison with documents on file in the archives of this office.

In testimony whereof, I have hereunto set my hand and caused the Seal of my Office to be affixed at the City of Baton Rouge on January 5, 1973.

WADE O. MARTIN, JR.
Secretary of State

DELEGATES APPOINTED TO CONSTITUTIONAL CONVENTION IN ACCORDANCE WITH ACT NO. 2 OF 1972

Representing Industry
Edward N. Lennox
Representing Labor
Gordon Flory
Representing Education
Horace C. Robinson
Representing Civil Service
Anthony M. Rachal, Jr.
Representing Wildlife and Conservation
John L. "Jack" Avant
Representing Law Enforcement
Frank M. Edwards, Jr.
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Representing the Judiciary
Albert Tate, Jr.
Representing Professions
Ruth Miller
Representing Consumers
Hilda Brien
Representing Agriculture
Robert J. Munson
Representing Youth
Max N. Tobias, Jr.
Representing Racial Minorities
Dorothy Mae Taylor
At Large
Tom Colten
At Large
Ambrose H. Landry
At Large
Pegram J. Mire
At Large
Clyde F. Bel, Sr.
At Large
Mary Zervigon
At Large
Joe N. Silverberg
At Large
John R. Thistlethwaite
At Large
Lawrence A. Chehardy
At Large
Kendall Vick
At Large
Judy Dunlap
At Large
J. K. Haynes
At Large
Richard P. Guidry
At Large
J. Kenneth Leithman
At Large
Risley C. Triche
At Large
Camille F. Gravel, Jr.

ROLL CALL
The roll was called by the Hon. Wade O. Martin, Secretary of State and the following named delegates answered to their names:

Abraham
Aertker
Alario
Alexander
Anzalone
Armentor
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burron
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Colten
Conino
Conroy
Corne
Coven
D'Gerolamo

De Bleux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Ekins
Eyard
Eyrton
Fowler
Fulco
Gauthier
Giarrusso
Ginn
Gravel
Grier
Guarisco
Guidry
Hardee
Hayes
Haynes
Henry
Hernandez
Jack
Jackson, A.
Jackson, J.

Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBloue
LeBreton
Leigh
Leithman
Lennox
Lowe
McDaniel
Martin
Mauberrel
Miller
Mire
Munson
Newton
Nunez
O'Neill
Ourso
Perez
Perkins
Pianchard
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Taylor
Thistledthwaite
Thompson
Toberman
Toca
Toomey
Triche
Ulo
Velasquez
Vesich
Vick
Wall
Warren
Weiss
Wills
Winchester
Wisham
Womack
Zervigon

Justice Sanders announced that there were 132 delegates present and a quorum.

Justice Sanders administered the following oath to all the delegates:

"I hereby solemnly swear that I will support the constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assembled. So help me God."

Prayer
Prayer was offered by Rabbi Lester W. Roubey of Temple B'ni Israel.

Address
The Convention was then addressed by the Hon. Edwin W. Edwards, Governor.

Recess
On motion of Delegate Stovall, seconded by Delegate Gauthier the Convention recessed for twenty minutes.

After Recess
Justice Sanders called the Convention to order and the roll being called Justice Sanders announced 132 delegates present and a quorum.

Introduction of Resolution
The following resolutions were introduced before the Convention:

DELEGATE RESOLUTION No. 1—
Introduced by Delegate Abraham:

BE IT RESOLVED that this Constitutional Convention adopt its permanent rules of procedure as its first order of business before electing its permanent chairman and executive committee, in accordance with the priorities set forth in Act 2 of 1972, and that a rules committee is hereby established, this committee to be comprised of sixteen delegates to be elected as follows:

1. Immediately following adoption of this resolution the temporary chairman shall recess the Convention and direct the delegates to immediately meet in separate caucus by Congressional District (each elected delegate participating in the caucus according to the residence established for his election as a delegate and each appointed delegate participating according to his present residence for voting purposes) and to elect from their number two delegates from each congressional district, said election to take place in the LSU Assembly Center and to be completed prior to the Convention finally adjourning on January 5, 1973.

BE IT FURTHER RESOLVED that the aforesaid caucus by congressional district be conducted at specific locations within the LSU Assembly Center to be designated by the temporary chairman.

BE IT RESOLVED that as soon as each caucus has completed such election, it shall advise the temporary chairman, and when all members of the committee have been elected, the temporary chairman shall reconvine the Convention to announce the names of the members of the Committee.

BE IT FURTHER RESOLVED that the Convention will
then stand in recess and immediately following the commencement of such recess, the committee shall meet and select from among their number a chairman who will preside over their deliberations, they shall also select a place for their meetings and shall be authorized to employ such secretarial and clerical assistance as may be required for such purposes.

BE IT FURTHER RESOLVED that the committee shall complete a typewritten or printed draft of the proposed rules as promptly as possible, and in any event no later than Wednesday, January 10, 1973.

BE IT FURTHER RESOLVED that on or before Thursday, January 11, 1973, the committee will send a Xerox or printed copy of the proposed rules to each delegate by U.S. mail.

BE IT FURTHER RESOLVED that the Convention will reassemble at 10:00 AM Monday, January 15, 1973, to begin consideration of the rules of organization and procedure; that the committee provided for by this resolution shall thereupon be disbanded and no longer function, except that the chairman of the committee, or a member designated by him in his absence, will present individually the proposed rules to the Convention, together with a brief explanation of such rules, and the rules will be individually voted upon by the Convention.

BE IT FURTHER RESOLVED that Robert's Rules of Order Revised shall be referred to as authority for guidance as temporary rules of this Convention to apply until such time as permanent rules are adopted.

Read.

Delegate Abraham moved the adoption of the resolution, which motion was seconded by Delegate De Baleux.

Motion

On motion of Delegate Alario, seconded by Delegate Taylor, the Chair ruled that the following Resolution could be introduced as a Substitute for Delegate Resolution No. 1.

DELEGATE RESOLUTION NO. 2—
Introduced by Delegate Alario:

A RESOLUTION

BE IT RESOLVED BY the Louisiana Constitutional Convention of 1973 convened pursuant to Act 2 of the Regular Session of the Louisiana Legislature of 1972, that the following order of business shall be regularly followed:
1. Election of a permanent chairman
2. Election of a Rules Committee in the following manner:
   a. The delegates who reside in each of the eight Congressional districts of Louisiana shall comprise eight separate committees who shall caucus separately and elect from among their number two members to serve on the rules committee.
   b. Each congressional district shall report the result of such election within twenty-four hours from the adoption of this resolution.
   c. The rules committee shall be composed of the 16 members elected, two from each of the eight congressional districts.
   d. The rules committee shall meet and formulate a draft of the rules of procedure and order of this convention and report thereon at 10:00 AM Thursday, January 11, 1973.
   e. The convention shall consider the report of the rules committee and adopt rules of procedure and order for this convention by roll call vote.
   f. This convention shall then take up such other business as may be decided by its members.

Read.

Delegate Alario moved that Delegate Resolution No. 2 be adopted as a substitute for Delegate Resolution No. 1 which motion was seconded by Delegate Taylor.

Motion

On motion of Delegate Juneau, Seconded by Delegate Fayard, the Chair ruled that the following Resolution could be introduced as a substitute for Delegate Resolutions No. 1 and No. 2.

DELEGATE RESOLUTION NO. 3—
By Delegates Juneau and Fayard:

A RESOLUTION

BE IT RESOLVED that a Temporary Committee on Rules and Resolutions be established for the Convention of preparing a proposed set of rules to be submitted to the Convention for its consideration.

BE IT FURTHER RESOLVED that the Temporary Committee on Rules and Resolutions be composed of 17 members, two from each of the eight Congressional Districts and one member to be elected by the Convention delegates as a whole, who shall serve as Chairman of the Temporary Committee on Rules and Resolutions.

BE IT FURTHER RESOLVED that the election of the Chairman of the Temporary Committee on Rules and Resolutions be held as the next order of business of this Convention.

BE IT FURTHER RESOLVED that immediately after the election of the Chairman of the Temporary Committee on Rules and Resolutions, the Convention shall recess for a period of one (1) hour during which time the delegates who reside in each of the Eight (8) Congressional Districts shall caucus in separate groups and elect from their group two (2) delegates who shall serve on the Temporary Committee on Rules and Resolutions.

BE IT FURTHER RESOLVED that upon the expiration of the one (1) hour recess the Temporary Chairman shall reconvene the Convention to announce the names of the members of the temporary Committee on Rules and Resolution.

BE IT FURTHER RESOLVED that the Temporary Committee on Rules and Resolutions shall prepare a proposed set of rules and shall mail a copy of said rules to all delegates no later than 12:00 a.m. on January 10, 1973.

BE IT FURTHER RESOLVED that the Convention reconvene on January 15, 1973 at 10:00 a.m. and that the Temporary Committee on Rules and Resolutions submit its proposed rules to the Convention at that time for consideration.

We further move that this resolution be made a permanent part of the record of this Convention and that a roll-call vote be taken and recorded.

Read.

Delegate Juneau moved that Delegate Resolution No. 3 be adopted as a substitute for Delegate Resolutions No. 1 and 2 which motion was seconded by Delegate Fayard.

The vote then returned on Delegate Resolution No. 3 by Delegates Juneau and Fayard and the roll was called with the following results:

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Altieri
Alario
Armendariz
Avant
Blair
Brown
Burns
Burton
Cannon
Carmouche
Champagne
Chobardy
Conino
Cowan
D'Geralo
DeBlieux
Denny
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler
Giarrusso
Total—72.

Ginn
Gravel
Guidry
Haynes
Henry
Hernandez
Jackson, A.
Juneau
Kean
Kelly
Kidpatrick
Landry, A.
Landry, E. J.
LeBreton
Leithman
Lowe
Mauberret
Miller
Mire
Manson
Newton
Nunez
Ousso
Perez
Rayburn
Reeves
Robinson
Roy
Sandor
Segura
Shannon
Slav
Smith
Stagg
Stephenson
Thibodactile
Thompson
Tobias
Toca
Tommy
Trehe
Viche
Veich
Vick
Wall
Wills
Winchester
Womack
Zervigon
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NAYS

Delegates—
Abraham
Alexander
Anzalone
Arnette
Assef
Badeaux
Bel
Bergeron
Bollinger
Brien
Casey
Chatelain
Colten
Conroy
Corne
Dennis
Derbes
Deshotes
Drew
Dunlap

Duval
Fulco
Gauthier
Grier
Guarisco
Hardee
Hayes
Jackson, J.
Jackson
Kilbourne
Lambert
Landrum
Lanier
LeBlanc
Leigh
Lennox
McDaniel
Martin
O'Neil

Perkins
Palinchard
Rachal
Roemer
Riecke
Schmitt
Silverberg
Sinisterra
Soniat
Stinson
Stovall
Sutherland
Tapper
Taylor
Ullo
Velazquez
Weiss
Wisham

Total—60.

ABSENT

Total—0.

And the Resolution was adopted.

Justice Sanders then called for nominations for the position
of the Temporary Committee on Rules as provided by Delegate
Resolution No. 3, just adopted.

Delegate Duval placed the name of Delegate Stagg in nomination.

Delegate De Blieux seconded the nomination.

On motion of Delegate Riecke nomination was closed.

Delegate Stagg was then elected by acclamation, viva voce.

Recess

The Convention was then recessed in order that Congres-
sional District caucuses might elect representatives to the
Temporary Committee on Rules as provided in Delegate
Resolution No. 3.

After Recess

Justice Sanders called the Convention to order and the roll
being called announced 132 delegates present and a quorum.

Justice Sanders then announced that the following dele-
gates had been elected to the Temporary Committee on Rules:

District 1
Delegate Perez
Delegate Guarisco

District 2
Delegate Gauthier
Delegate Velazquez

District 3
Delegate Conino
Delegate Duval

District 4
Delegate Smith
Delegate Drew

District 5
Delegate Womack
Delegate Kelly

District 6
Delegate Kean
Delegate Newton

District 7
Delegate Juneau
Delegate Arnette

Motion

Delegate Kean moved that the Convention proceed with
the election of a permanent Chairman of the Convention
which motion was seconded by Delegate Gravel.

Delegate De Blieux objected.

AMENDMENT

Delegate Duval moved that the original motion be amended to allow for the election of the Chairman of the Convention by secret ballot which motion was seconded by Delegate De Blieux.

Delegate Wall objected to the amendment.

The question then recurred on the amendment.

ROLL CALL

The roll was called with the following results:

YEAS

Delegates—
Abraham
Anzalone
Arnette
Assef
Bergeron
Bollinger
Brown
Carmouche
Champagne
Chatelain
Conroy
De Blieux
Dennis
Deshotel
Duval

Elkins
Fayard
Grier
Guarisco
Hardee
Hernandez
Juneau
Kee
Kilbourne
Lambert
Landry, A.
Landry, E. J.
LeBlanc
Leigh
Lennox

Total—45.

NAYS

Delegates—
Aeriker
Alario
Alexander
Armentor
Avant
Badeaux
Bel
Blair
Brien
Burns
Burson
Cannon
Casey
Chedhary
Colten
Conroy
Corne
Cowan
D'Gerolamo
Denner
Derbes
Drew
Dunlap
Edwards
Flory
Fontenot
Fowler
Fulco
Gauthier

Garrusso
Ginn
Gravel
Gudry
Hayes
Hayes
Henry
Jack
Jackson, A.
Jackson, J.
Jenkins
Kelly
Kilpatrick
Landrum
LeBreton
Leithman
Lennox
Maubertet
Miller
Mire
Munson
Newton
Nunez
Oruso
Perez
Rachal
Rayburn
Riecke
Robinson

Total—87.

ABSENT

Total—0.

And the amendment was rejected.

Substitute Motion

Delegate Leigh then moved as a substitute that no action be taken on election of permanent officers until the rules of the Convention were adopted which motion was seconded by Delegate Gauthier.
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Objection was raised and the vote recurred on the substitute motion.

ROLL CALL

And the roll was called with the following result:

**YEAS**

Delegates—

- Abraham
- Aertker
- Anzalone
- Arnette
- Assef
- Bergeron
- Bollinger
- Burns
- Champagne
- Chatelain
- Conroy
- Corne
- De Blieux
- Dennis
- Derbes
- Deshotels
- Drew
- Duval
- Fayard
- Fontenot

Total—58.

Delegates—

- Gauthier
- Glarrusso
- Grier
- Guarisco
- Hardee
- Hayes
- Jenkins
- Kilbourne
- Lambert
- Landrum
- Landry, E. J.
- Lanier
- LeBlanc
- Leigh
- Lennox
- Lowe
- McDaniel
- Martin
- Maubrelet
- O'Neill

NAYS

Delegates—

- Ginn
- Gravel
- Guidry
- Haynes
- Henry
- Hernandez
- Jack
- Jackson, A.
- Jackson, J.
- Juneau
- Keen
- Kelly
- Kilpatrick
- Landry, A.
- LeBreton
- Leithman
- Miller
- Mire
- Munson
- Newton
- Nunez
- Ousso
- Perez
- Rachal
- Rayburn

Reeves
- Robinson
- Roemer
- Roy
- Sandoz
- Segura
- Shannon
- Silverberg
- Slav
- Stagg
- Stephenson
- Tapper
- Taylor
- Thistlethwaite
- Thompson
- Tobias
- Toca
- Triche
- Vesch
- Vick
- Wall
- Winchester
- Wisham
- Womack

Total—74.

ABSENT

Total—0.

And the motion was rejected.

Delegate Jenkins then moved to recess until 7:00 p.m., which motion was rejected.

The question then recurred on the original motion to proceed to the election of the Chairman which motion was adopted, viva voce.

**Motion**

Delegate Stovall then moved that no more than five minutes be allowed each delegate placing a name in nomination for Chairman.

**Substitute Motion**

Delegate Gravel moved as a substitute that each nominating speech be no more than five minutes, further that one seconding speech of two minutes be allowed and that a majority vote be necessary for election of the Chairman.

Delegate Chehardy seconded the motion.

**Amendment**

At the request of Delegate Roy and by leave of the Convention the Gravel motion was amended to allow two seconding speeches of three minutes each.

The vote then recurred on the substitute motion by Delegate Gravel which was adopted, viva voce.

**Nominations**

Delegate Dennery was recognized for the purpose of placing the name of Delegate Henry in nomination which nomination was seconded by Delegates Lanier and A. Jackson.

Delegate De Blieux was recognized for the purpose of placing the name of Delegate Tate in nomination which nomination was seconded by Delegates Fontenot and Conroy.

Delegate Anzalone was recognized for the purpose of placing the name of Delegate Lambert in nomination which nomination was seconded by Delegates Fayard and Mire.

Delegate Stovall was recognized for the purpose of placing the name of Delegate Dennis in nomination which nomination was seconded by Delegates Corne and Arnette.

On motion of Delegate Alexander and, without objection, the nominations for Chairman were closed.

Justice Sanders then appointed the following committee of tellers: Delegates Lanier, Casey, De Blieux, Conroy, Kilbourne, Juneau, Drew, Arnette and Wisham.

Justice Sanders then directed the Honorable Wade O. Martin, Jr., Secretary of State, to poll the Convention.

The following results were obtained:

**FOR JUDGE DENNIS**

Delegates—

- Abraham
- Arnette
- Corne
- Dennis

Total—10.

**FOR E. L. HENRY**

Delegates—

- Aertker
- Alario
- Alexander
- Avant
- Badeaux
- Bel
- Blair
- Burns
- Burson
- Cannon
- Carmouche
- Casey
- Chehardy
- Colten
- Conino
- Cowen
- D'Gerolamo
- Denner
- Dunlap
- Edwards
- Elkins
- Flory
- Fowler
- Fulco

Haynes
- Henry
- Hernandez
- Jack
- Jackson, A.
- Jackson, J.
- Juneau
- Keen
- Kelly
- Kilpatrick
- Landrum
- Landry, A.
- LeBreton
- Leithman
- Miller
- Mire
- Munson
- Newton
- Nunez
- Ousso
- Perez
- Rachal
- Rayburn
- Reeves
- Robinson
- Roemer
- Roy
- Sandoz
- Segura
- Shannon
- Silverberg
- Slav
- Stagg
- Stephenson
- Tapper
- Taylor
- Thistlethwaite
- Thompson
- Tobias
- Toca
- Triche
- Vesch
- Vick
- Wall
- Winchester
- Wisham
- Womack
- Yelk
- Vesch
- Vick
- Wall
- Winchester
- Wisham
- Wemack
- Zervigon
FOR LOUIS LAMBERT

Delegates—
Anzalone      Duval       Martin
Bergeron      Fayard      Mire
Bollinger     Guarisco    O'Neill
Brown         Hayes       Perkins
Chatelain     Jenkins     Warren
Deshotels     Lambert     Weiss
Total—18.

FOR JUSTICE TATE

Delegates—
Armentor      Gauthier    Stinson
Conroy        Glarrusso   Sutherland
De Blieux     Kilbourne   Tate
Derbes        Landry, E. J.    Tobias
Drew          Leigh       Willis
Fontenot      Schmitt
Total—17.

The vote having been announced, on motion of Delegate Tate, seconded by Delegate Dennis and Lambert, and without objection Justice Sanders declared Delegate Henry elected by acclamation.

Justice Sanders then appointed the following committee of delegates to escort Delegate Henry to the Chair: Delegates Sutherland, Burns, Perez, Rayburn, Anzalone, Alexander, Jenkins, Kelly, A. Landry, Roemer, McDaniel and Miller.

Address

Delegate Henry then addressed the Convention.

Motion

Delegate Casey moved that the Convention officially recognize the outstanding service provided by Justice Sanders, as acting Chairman, and Wade O. Martin, Jr., as acting Secretary.

On motion of Delegate De Blieux the motion was amended to express appreciation to Gulf South Research Institute for their services.

The motion was seconded and adopted without objection.

Delegate Stagg then moved that Robert's Rules of Order, Revised be adopted as the rules of order of the Convention until permanent rules should be adopted, which motion was seconded and adopted viva voce.

Adjournment

Delegate O'Neill moved that the Convention do now adjourn until 10:00 o'clock A.M., January 12, 1973 at Independence Hall, which motion was seconded by Delegate Thompson and adopted by the Convention.

And Chairman Henry declared the Convention adjourned until 10:00 o'clock, A.M., January 12, 1973 at Independence Hall.

Prepared in accordance with the transcript and records of the Convention. Resolutions introduced on this day have been numbered by the Secretary in accordance with the Order of the Convention.

MOISE W. DENNERY,
Secretary.

DAVID R. POYNTER,
Chief Clerk.
Official Journal of the Constitutional Convention of 1973 of the State of Louisiana

Second Day's Proceedings

of the Constitutional Convention of 1973 held in accordance with Act 2 of the 1972 Regular Session of the Legislature

Friday, January 12, 1973, Baton Rouge, La.

The Convention was called to order at 10:00 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

Roll Call

The roll being called, the following delegates answered to their names:

Present

Delegates—
Mr. Chairman —
Abraham
Acker
Alario
Alexander
Anzalone
Armentor
Arnette
Aseff
Avant
Badeaux
Bel
Bergeron
Blair
Bellinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Chamagne
Chatelain
Chehardy
Colten
Confin
Conroy
Conre
Cowie
D'Gerolamo
De Blesieux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Ekins

Perez
Perkins
Planchard
Rayburn
Reeves
Riecke
Robinson
Roemer
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singleton
Slay
Smith
Soriat
Stagg
Stinson
Stovall
Sutherland
Tapper
Tate
Taylor
Thistledaite
Thompson
Tobias
Toca
Toomy
Triche
Ulio
Velazquez
Wall
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Total—120.

Absent

Delegates—
Edwards
Fontenot
Guarisco
Hardee

Roy
Stephenson
Vesich
Vick

Total—12.

The Chairman announced that there were 120 members present and a quorum.

Prayer

Prayer was offered by the Delegate Stovall.

National Anthem

The Star Spangled Banner was played.

Introduction of Resolutions

Delegate Velazquez introduced the following Resolution, which was seconded from the floor.

Delegate Resolution No. 4—

Introduced by Delegates Velazquez and Schmitt:

A Resolution

Whereas a tragedy has taken place in New Orleans, La., the effects, which have gone beyond that City—including the State and the Nation.

WHEREAS, all the people of Louisiana black as well as white deplore this senseless action.

WHEREAS, this Convention is meeting to write a constitution which will guarantee the civil rights of all its citizens under the rule of law.

WHEREAS, to maintain civilization and order, the individual policeman remains our First Line of defense.

Be it RESOLVED, that the Louisiana Constitutional Convention publicly deplores the above mentioned incident.

Be it further RESOLVED, that as its first order of business, before considering the Rules, we will stand for a minute of silence in memory of:

Deputy Police Superintendent Louis Sirgo
Patrolmen Paul Persigo
Petrolmen Phil Coleman
Cadet Albert Harrell

Be it further RESOLVED that the Louisiana Constitutional Convention endorses the Tragedy Fund, which is a legitimate fund raising activity composed of a broad spectrum of citizens of all races and faiths and crossing organizational lines, intended to raise funds for the families of the deceased. Which Fund has been endorsed by Mayor Moon Landrieu, Mayor of New Orleans.

The co-authors of this memorial are delegates:

Thomas A. Velazquez, Dist. 97
Joseph I. Giarrusso, Sr., Dist. 98

Read.

Without objection the Resolution was adopted.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

Chairman Henry announced from the chair a communication had been received from the office of the Attorney General concerning the delegate oath of office.

State of Louisiana
Department of Justice

January 11, 1973

Honorables E. L. Henry
Chairman
Constitutional Convention
Speakers Office
State Capitol
Baton Rouge, Louisiana 70804

Dear Mr. Speaker:

In response to your verbal request for an opinion as to the constitutionality of the delegate's oath contained in Act 2, Section 5 of 1972, the opinion of this office is as follows:

The oath of office taken by each delegate to the Constitutional Convention of 1973 on January 5, 1973 was the oath prescribed by Act 2 of 1972:

“[I hereby solemnly swear that I will support the consti-
2nd Days Proceedings—January 12, 1973

the swearing of delegates and all other acts taken by said delegates as members of the Louisiana Constitutional Convention from that time to the present.

At the suggestion of the Chair the following oath of office as prescribed under Article XIX, Sec. 1 of the 1921 Constitution was administered to the delegates enumerated thereunder by the Hon. Wade O. Martin, Secretary of State:

OATH

"I, ____________ do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention of 1973, according to the best of my ability and understanding. So help me God."

Taken by Delegates

Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Axeff
Avant
Badeaux
Bel
Bergeron
Bilodeaux
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Colten
Conino
Conroy
Cox
Cowen
D’Gerolamo
De Bleuix
Deeny
Dennis
Deres
Deshotels
Drew
Donlap
Duval
Edwards
Eikins
Fayard
Flory
Fontenot
Fowler
Fuige
Gauthier
Giarrusso
Ginn
Gravel
Guerry
Hayes
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBreton
Leigh
Leithman
Lennox
Lemoine
Martin
Mauberret
Miller
Mire
Munson
Newton
Nunez
O’Neill
Ourso
Perez
Perkins
Parchard
Pachal
Rayburn
Ricco
Ricco
Robinson
Roemer
Sandor
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Smith
Sotin
Scott
Skelton
Stinson
Stovall
Sutherland
Tapper
Tate
Taylor
Thistlethwaite
Thompson
Tobias
Toa
Tommy
Triece
Ulo
Velazquez
Vesich
Vick
Wall
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Introduction of Resolutions

Delegate Abraham sent up the following Resolution.

DELEGATE RESOLUTION No. 5—

Introduced by Delegate Abraham:

BE IT RESOLVED that the delegates to the Louisiana Constitutional Convention do hereby re-enact, re-affirm and adopt as their own and as the Act of the Convention, every act taken at the meeting of elected delegates held on January 5, 1973 including but not limited to the roll call of delegates,

Very truly yours,

WILLIAM J. GUSTE, JR.
Attorney General

WJGjr:xce

P.S. After taking the oath, a resolution could be introduced as follows:

BE IT RESOLVED that the delegates to the Louisiana Constitutional Convention do hereby re-enact, re-affirm and adopt as their own and as the Act of the Convention, every act taken at the meeting of elected delegates held on January 5, 1973 including but not limited to the roll call of delegates.
Delegate Stagg rent up the following Resolution on behalf of the temporary Committee on Rules.

COMMITTEE RESOLUTION No. 1—

By Delegate Stagg on behalf of the Temporary Committee on Rules

A RESOLUTION

To provide for the standing rules of the Constitutional Convention.

BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that the following be adopted as the standing rules of the Convention unless otherwise amended or rescinded as herein provided:

CHAPTER 1

General Provisions

Quorum and Majority

Rule No. 1. Call to Order. The Convention shall convene at such time as ordered on the preceding working day by a majority of the delegates and the chairman shall call the Convention to order at that time. If a quorum is in attendance the chairman shall cause the Journal of the preceding day to be read unless otherwise ordered by the Convention, to the end that any mistake may be corrected.

Rule No. 2. Quorum. Sixty-seven delegates to the Convention shall constitute a quorum for the transaction of business.

Rule No. 3. Roll Call. The secretary shall call the roll at the opening of each session of the Convention and announce whether or not a quorum is present. He shall announce the names of the delegates absent with leave of the Convention and the names of delegates absent without leave, and enter the names of all absences upon the Journal. If a voting machine is provided, the machine shall be used whenever a roll call or a vote is taken. Voting shall be by aye or no, unless otherwise directed by the rules, and in accordance with the rules.

Rule No. 4. Quorum Calls. A quorum call may be demanded by any delegate during any session of the Convention. When, upon such call, it is found that less than a quorum is present, the chairman shall order the assistants to the Convention to close the doors and direct the secretary to call the roll of the Convention and to note the names of the absentees. After such call roll call the names of the absentees shall again be called and those for whose absence no excuse, or an insufficient excuse, is made, may, by order of a majority of delegates present, be sent for and taken into custody by the Sergeant-at-Arms or by his assistants appointed for the purpose, and brought to the floor of the Convention.

Rule No. 5. Absence from Convention Service. No delegate shall absent himself from the service of the Convention without first obtaining leave of the Convention. A majority of delegates may prescribe penalties for the non-attendance of delegates.

Rule No. 6. Absent Delegates. At any time the Convention is in session, whether upon first convening of the day’s session or at any time after the hour has arrived to which the Convention stood adjourned, the chairman is authorized to send the Sergeant-at-Arms for any or all absent delegates as the majority of such delegates present shall agree.

Rule No. 7. Expense of Compelling Attendance. Any expenses involved in compelling the presence of an absent delegate shall be borne by such delegate, unless such excuse of non-attendance has been made as a majority of a quorum shall judge sufficient, in which case the expense shall be paid out of the appropriated funds to the Convention.

Admission to Floor

Rule No. 8. Persons Admitted. No person shall be admitted on the Convention floor while the Convention is in session or during the period five minutes before the time set for the convening of each session or the period five minutes after the adjournment of each session, except that delegates and members of the Convention staff may remain on the floor. Representatives of the news media shall be admitted to the floor as provided in Rule 11. Written messages may be delivered to delegates by a messenger, provided such messenger is outside the restricted area. The Convention floor, for purposes of these rules, is defined as the entire enclosed seating area of the delegates.

Rule No. 9. Restrictions on the Convention Floor. One chair shall be allowed each delegate on the convention floor and no other chairs shall be permitted in this section.

Rule No. 10. Special Permission. Special permission to sit on the convention floor may be granted by the chairman of the Convention to visiting officials of other states or the United States or of foreign countries.

Rule No. 11. News Media. A designated place in the Convention Hall shall be provided for the news media. Members shall have free access to these areas. Accreditation of members of the press and of members of any news media for admission shall be administered by the Chairman. No member of the press or of any news media shall conduct any interview with a delegate on the Convention floor while the Convention is in session.

Rule No. 12. Administration of Rules. The Chairman of the Convention shall provide for the administration of the rules governing admission to the Convention as provided herein.

CHAPTER 2

Officers, Employees, and Duties

Officers

Rule No. 15. Open Meetings. All meetings of the Convention shall be open to the public and the news media.

Rule No. 16. Convention Officers. The officers of the Convention shall be a Chairman, who shall be Chairman of the Convention, a First Vice-Chairman, three Vice-Chairmen, a Secretary, and a Treasurer. These officers shall constitute the Executive Committee of the Convention, shall be delegates to the Convention, and shall each be elected in separate elections by a majority vote of all the delegates of the Convention.

Employees

Rule No. 17. Convention Employees. A Chief Clerk and a Sergeant-at-Arms shall be employed by the Chairman of the Convention subject to the approval of a majority vote of the entire Convention; they shall not be delegates to the Convention.

Rule No. 18. Duties. The Executive Committee shall:

A. Employ a research director, research assistants, secretarial and/or clerical personnel and such other employees as it deems necessary, in accordance with provisions of Act 2 of the 1972 Regular Session.

Executive Committee

The Chairman shall be a committee on administration, which shall consider research materials and personnel, convention budget and financial matters, and other administrative matters related to the arrangements for the Convention, for committee hearings and for the staff, outside grants and assistance to the Convention, purchases and rental of equipment, supplies and services, printing and related matters.

C. Serve as the executive board of the Convention in all matters requiring official sanction.

D. Assist the Chairman in his capacity as supervisor of the research staff of the Convention.

The Chairman shall be the presiding officer and the Chief Executive Officer of the Convention, and as such, Chairman of the Executive Committee. He shall:

A. Preside at sessions of the Convention and exercise the usual powers and perform the usual duties of a presiding officer;

B. Preserve order and decorum;

C. Call to points of order and, subject to an appeal to the Convention, decide all points of order;

D. Confer with the other officers as necessary; and

E. Designate the First Vice-Chairman to preside in his absence and establish the order of the Vice-Chairmen to preside in the absence of both the Chairman and the First Vice-Chairman.

F. Name a delegate to preside as chairman on each occasion when the Convention sits as a Committee of the Whole; and

G. Assign, with the assistance of the Executive Committee,
PAGE 4
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the delegates to their seats, according to congressional districts.

H. At the request of at least twenty-seven delegates, a recorded aye and nay vote shall be ordered by the Chairman;
I. Sign all official documents of the Convention, attested by the Secretary;
J. Make corrections of the official journal of the Convention necessary, attested by the Secretary with notification of any substantive changes being made to the Convention at large;
K. Direct the Convention in its official activities, including naming delegates to perform duties connected with the business of the Convention;
L. Not engage in debate when sitting as Chairman, nor shall he vote on appeals from his rulings;
M. Maintain general control of the Convention Hall, its environs, and all rooms set apart for use of the Convention;
N. Sign all warrants and/or checks;
O. Supervise the Convention staff, provided that he may delegate certain of this function to members of the staff;
P. On his own initiative or at the direction of the Convention shall appoint special committees as may be necessary to perform special functions.

First Vice-Chairman

Rule No. 20. Duties. The First Vice-Chairman shall serve as
First Vice-Chairman of the Convention, and as such shall:
A. Preside in the absence of the Chairman and the First
Vice-Chairman in the order established by the Chairman as
provided in Rule No. 19;
B. Serve as members of the Executive Committee and
carry out such duties as are assigned by the Chairman.
C. The Chairman shall designate Vice-Chairmen to serve
ex officio on each of the three remaining procedural com-
tees. No Vice-Chairman shall have a vote on the committee
to which he is assigned and shall not be counted for the
purpose of obtaining a quorum.

Rule No. 21. Vice-Chairmen. The Vice-Chairmen shall:
A. Preside in the absence of the Chairman and the First
Vice-Chairman in the order established by the Chairman as
provided in Rule No. 19;
B. Serve as members of the Executive Committee and
carry out such duties as are assigned by the Chairman.
C. The Chairman shall designate Vice-Chairmen to serve
ex officio on each of the three remaining procedural com-
tees. No Vice-Chairman shall have a vote on the committee
to which he is assigned and shall not be counted for the
purpose of obtaining a quorum.

Secretary

Rule No. 22. Duties. The Secretary shall:
A. Exercise responsibilities for the accuracy of the Conven-
tion Journal of Proceedings, and the daily publication and
distribution of the Journal;
B. Keep a verbatim written record and a sound recording
of all proceedings of the Convention and of the Committee of
the Whole;
C. Prepare a daily calendar of business and notices of
schedules of all committee meetings;
D. Receive, reproduce, number, and distribute all resolu-
tions, delegate and committee proposals;
E. Read to the Convention all proposals, resolutions, peti-
tions, memorials and communications;
F. Exercise responsibility for roll calls of the delegates;
G. Attest where necessary all official documents of the
Convention;
H. Preserve and safeguard all original copies of official
documents and be responsible for the preservation of all
proceedings of the Convention and its committees, and see
that all records are properly preserved in archives of the
state;
I. Serve as a member of the Executive Committee;
J. Perform such other duties as may be designated by the
Chairman or the Executive Committee.

Rule No. 23. Delegation of Secretary’s Duties to Chief Clerk.
Except for certification of official acts, documents and
vouchers, and service on the Executive Committee, the Secre-
tary may delegate his duties to the Chief Clerk, subject to
supervision by the Secretary.

The Treasurer

Rule No. 24. Duties. The Treasurer shall:

A. Exercise responsibility for the accuracy of the Conven-
tion’s financial records and the monthly distribution of
financial statements to the delegates of the Convention;
B. Co-sign, with the Convention Chairman, all warrants
and/or checks;
C. Serve as custodian of all Convention financial records;
D. Assist in the preparation of the Convention’s budget;
E. File quarterly audits and the final audit of financial
records with the State Treasurer, Clerk of the House of
Representatives and the Secretary of the Senate;
F. Make financial records of the Convention available for
audit to the Louisiana Legislative Auditor quarterly and at
the end of the Convention;
G. Serve as a member of the Executive Committee, and
carry out such other duties as may be assigned by the Chair-
man.

Chief Clerk

Rule No. 25. Duties. The Chief Clerk shall:
A. Shall not be a delegate to the Convention;
B. Perform all administrative duties of the Convention
subject to supervision of the Chairman, and when
he assumes the duties of the Secretary as provided in
Rule No. 22, he shall do so under the supervision of the
Secretary;
C. Shall be answerable to the entire Convention for failures
in the performance of his duties;
D. Shall be the permanent record of the Convention in the
Assembly as a deliberative body;
E. Shall serve as Parliamentarian of the Convention and
shall be advisor and counsel to the Chairman and commit-
tee chairmen on all matters of parliamentary procedure; how-
ever, all parliamentary rulings shall be the responsibility
of, and shall be made by the Chairman.

Sergeant-at-Arms

Rule No. 26. Duties. The Sergeant-at-Arms shall:
A. Attend the Convention during its sitting, to execute
commands as directed to him by the chairman, including
signing for and delivery of correspondence addressed to
delegates;
B. Maintain order in the Convention Hall and execute
Rule No. 26 concerning admission to the floor;
C. Maintain order at committee hearings and assist com-
mittee chairmen in their duties;
D. Exercise supervisory control over his assistants, subject
to direction of the chairman.

CHAPTER 3

Delegates

Rule No. 27. Delegates Oath. No delegate shall be qualified
to serve unless and until he has taken the prescribed oath.

Rule No. 28. Recognition in Debate. When any delegate desires
or is permitted to speak in debate or propose any matter to the Con-
vention, he shall rise and address himself to the chair. He
shall not speak until recognized, and when recognized, he
shall confine himself to the question under debate.

Rule No. 29. Transgression of Rules. If any delegate in speaking
or otherwise transgresses the rules of the Conven-
tion, the chairman shall call the delegate to order; in which
case the delegate shall sit down and shall not proceed with-
out leave of the chairmen or the Convention.

Rule No. 30. Limitation on Debate. Delegates shall not speak
more than once to the same question, except by leave of
the Convention, unless the delegate is the mover, pro-
poser or introducer of the matter pending,
in which case, either the delegate and/or his designee shall
be permitted to speak in reply, but not until every delegate
choosing to speak shall have spoken, except where the
previous question or the previous question on the entire
subject matter has been ordered. When the previous ques-
tion has been ordered, the mover, proposer or introducer shall
nonetheless have the right to speak or reply as provided in
Rule No. 76. The time for reply shall not exceed a total of
fifteen minutes.

Rule No. 31. Prohibited Behavior. No delegate shall walk
off of the Convention floor during roll calls, nor shall any
decision of any question be decided by the delegate by
interrupting delegates who are speaking, by use of objec-
tionable language, or by engaging in any way in discourtes-
cy of conduct.

Rule No. 32. Questions of Order. Every question of order
shall be decided by the chairman, without debate, subject
to an appeal. The chairman may call for the sense of the
Convention on any question of order, but when an appeal
has been taken from the decision of the chair, any subsequent
question of order which may arise from the decision of such
appeal by the Convention shall be decided by the chair-
man without debate, and all appeals therefore shall also be
decided by the Convention without debate. Appeals from any
ruling of the chairman shall be affirmatively put, and to overrule the chairman, shall require the same vote required to suspend the rules. (See Rule No. 85.)

Rule No. 33. Answering Roll Calls. Every delegate must be at his desk when a roll call is being taken, and answers to roll calls from other locations on the Convention floor shall not be counted.

Rule No. 34. Absence from Daily Sessions. A delegate may be excused from attendance at daily sessions only with leave from the chairman, and no delegate shall be compensated for a day on which he is absent from Convention sessions.

Rule No. 35. Vacancies. By a vote of at least two thirds of the delegates to the Convention, the seat of a delegate may be declared vacant by the Convention if the delegate has been absent at roll calls for a week in any nine weeks. In the event of the death of, or resignation by a delegate, the seat may be immediately declared vacant by the Chairman. The Chairman shall notify the Governor of any vacancy.

Rule No. 36. Voting in Person. No person other than the delegate himself will be permitted to vote or to answer any roll call or quorum call.

CHAPTER 4

Proposals

Rule No. 37. Proposal. Any original suggestion, proposition, or draft intended to become a part of the Constitution shall be introduced by a delegate. A proposal introduced by a delegate shall be designated as a delegate proposal, and a proposal submitted by a committee shall be designated as a committee proposal. An amendment shall be designated as an amendment.

Rule No. 38. Resolutions. All matters of general convention business, other than proposals intended to become a part of the Constitution, shall be proposed through the instrument of a resolution. A resolution introduced by a delegate shall be designated as a delegate resolution, and a resolution submitted by a committee shall be designated as a committee resolution.

Resolutions shall be subject to the same rules of readings, committee referral and adoption as proposals. Resolutions shall contain a short title which shall be reflective of its purpose and substance, and shall comply with the form requirements of Rule No. 41.

Rule No. 39. Introduction. A proposal may be introduced by a delegate or delegates or by a committee on behalf of a majority of its membership.

Rule No. 40. Introduction of Committee Proposals. Committee proposals prepared and approved by the several committees of the Convention prior to July 5, 1973, shall constitute part of the proposals to be introduced in the Convention and shall be introduced by the chairman of each committee or his designee.

Rule No. 41. Form of Proposals. Delegate proposals shall be distinguished from committee proposals and all proposals shall be separately numbered. All proposals shall be introduced or submitted in eight copies. All proposals must be typewritten, double spaced on 8-1/2 by 11-inch paper in a type face with excellent reproduction qualities. A margin of one inch on the left and right side and at the top and bottom shall be preserved. The left margin shall be numbered consecutively from top to bottom at the left margin, and the right margin shall be numbered from the right of the line numbers. Pages commencing with page two shall be numbered at the top center of the page. The original of all proposals shall remain in the custody of the Convention. A printed copy shall be placed, in duplicate, on the desks of the delegates. The caption of each proposal shall be substantially in the following form:

Constitutional Convention of Louisiana of 1973

PROPOSAL

(Committee or Delegate) (Number) Introduces (Name of Delegate or Committee Chairman) Each proposal shall also contain a short title stating concisely the general nature of its subject matter.

Rule No. 42. Deadline on Proposals. No proposal may be introduced by delegates after the first sixty days following July 5, 1973; committee proposals however, may be introduced at any time, provided rules governing procedures for adoption are followed. Amendments to proposals may be offered any time.

Rule No. 43. Printing. Each proposal introduced shall be immediately printed and distributed to the delegates and shall be available to the general public and other interested parties. No final action may be taken on any proposals until printed copies have been distributed to the delegates for at least forty-eight hours.

Rule No. 44. Order of Processing. The order of Convention procedure in processing each proposal shall be as follows: A. In the introduction, which shall constitute the first reading. B. Committee referrals: Committee proposals shall be referred to the Committee offering the proposal. Delegate proposals shall be referred by the Chairman of the Convention to the appropriate committee based on the subject matter of the proposal. The Chairman shall announce his referral to the delegates and if no objection is raised, the proposal shall be referred to the Committee designated by the Chairman; if objection is raised, the referral shall be made by the Convention. Referrals shall be made the day following introduction. Committee referral shall commence the second reading.

C. Committee reports.

D. Consideration of and voting on the substantive committee report by delegates in general assembly.

E. If recommitted, reconsideration by substantive committee or committee of the whole.

F. Reference to committee on style and drafting.

G. Engrossment, which shall complete the second reading.

H. Third reading and final passage.

I. Enrollment.

J. Referral to Committee on Style and Drafting.

K. Convention approval of final styling.

L. Final enrollment.

Each of the three required readings shall occur on three consecutive days.

Rule No. 45. Order of Proposals. When a proposal is up for third reading and final passage, it shall be read, debated, and voted upon separately by sections. Each section shall be considered a separate question for the purpose of "limits on debate" provided for in Rule No. 30.

Rule No. 46. Amendments. Amendments shall be submitted in writing, and a copy of every such amendment shall be distributed to each delegate before a vote occurs thereon.

Rule No. 47. Styling and Drafting. When all proposals have been processed, the entirety of those adopted shall be sent to the Committee on Style and Drafting for orderly arrangement in the new proposed Constitution, to the end that the document shall be properly coordinated and uniform in style, and such final draft must be approved by a majority of the delegates to the Convention.

Rule No. 48. Distribution. For the purpose of these rules "distribution" shall mean that a copy of any document is placed on the desk or chair of each delegate.

CHAPTER 5

Committees

Substantive, Procedural and Other

Rule No. 49. Substantive Committees.

The following substantive committees are hereby created:

1. Committee on Bill of Rights and Elections, which shall consider the Preamble, Bill of Rights, Human Rights, Obligations of Citizenship, distribution of powers, suffrage and elections, the amendment process, and future constitutional conventions;

2. Committee on Executive Department, which shall consider the offices comprising the executive department, reorganization of the Governor and other elected officials, and impeachment;

3. Committee on Legislative Powers and Functions, which shall consider the Legislative Department, apportionment, qualifications, regular and special sessions;

4. Committee on Judiciary, which shall consider the judiciary, tenure and selection of judges, the Department of Justice, district attorneys, sheriffs, clerks of court and coroners;

5. Committee on Local and Parochial Government, which shall consider local and parochial government, home rule, special districts, consolidation of governments and inter-governmental cooperation;

6. Committee on Revenue, Finance and Taxation, which shall consider revenue, finance, taxation, assessors and assessment, exemptions, state debts and management of state funds;

7. Committee on Education and Welfare, which shall con-
Consider public education, Board of Regents for Higher Education, welfare, consumer affairs, civil service, labor and industry; and

8. Committee on Natural Resources and Environment, which shall consider public lands, minerals, water resources, wildlife, environmental concerns, recreation and agriculture.

Other provisions that may not be covered by the foregoing shall be assigned by the Committee on Rules and other committees as to the best advantage of any responsibility shown above may be assigned by the Coordinating Committee to the appropriate substantive committee.

Rule No. 59. Procedural Committees.

The following procedural committees are hereby created:

1. Committee on Rules, Credentials, Ethics and Schedules, which shall have the power to delegate questions of ethics, press and employees, schedules, calendar, agenda, and shall consider all questions on any procedural disputes referred to it by the Chairman or by the Convention;

2. Committee on Style and Drafting, which shall have control over literary style, consistency, arrangement and numbering. The committee shall have authority to rephrase or rework any proposed language, but shall have no authority to change the sense or purpose of any proposal referred to it; and

3. Committee on Legislative Liaison and Transitional Measures, which shall maintain liaison with the legislative branch and the Louisiana Law Institute and provide for coordination of the transition of subject matter from the Constitution to the appropriate statutory law.

4. Committee on Public Information, which shall consider and implement measures to inform the people on the activities, procedures, recommendations and activities of the Convention. It shall plan and implement the report to be given to the voters of Louisiana on the result of the Convention's work, and shall direct the effort to obtain approval of the new Constitution and the form and manner of presentation.

Rule No. 60. Appointment of Committees.

The selection of delegates to serve on the substantive and procedural committees shall be determined as follows:

Within twenty-four hours after the adoption of these rules by the Convention, each delegate shall submit in writing to the Convention the committee or committees in order of preference to which he, or she, shall be appointed.

A Committee on Committees shall select from among said delegates the delegates to serve on each committee after giving due consideration to the preference of each delegate and based on the qualifications, experience and residence of each delegate so as to provide as nearly as possible a fair and balanced representation on each committee of this Convention.

Rule No. 61. Committee on Committees.

The Committee on Committees shall be composed of the Chairman of the Convention who shall be chairman of the Committee on Committees and sixteen delegates, with two delegates to be elected from each congressional district by the delegates voting in the congressional district in which they resided at the time of qualification or appointment. Such voting shall be in separate caucuses.

Rule No. 62. Service on Committees.

Each substantive and procedural committee shall be composed of at least ten delegates and no more than twenty. Each delegate except the Convention Chairman shall serve on at least one and only one substantive committee. Each committee shall elect a chairman, vice-chairman, and such other officers as the committee deems necessary.

The Chairman of the Convention shall be ex officio a member of all substantive committees, but shall have vote and shall not be counted for the purpose of obtaining a quorum.

Rule No. 63. Coordinating Committee.

The Coordinating Committee shall be composed of the Chairman and First Vice-Chairman of the Convention, and the chairmen of the respective substantive committees. The Coordinating Committee shall consider any issues regarding omissions, overlap and/or conflict which might arise concerning the jurisdiction of any substantive committee or any subject matter, call joint meetings of any substantive committees for the purpose of discussing any omissions, overlap and/or conflict which might arise and make recommendations to the respective substantive committees as to possible resolution thereof.

Rule No. 55. Other Committees. The Convention shall have authority to create other committees, including special advisory committees, as it deems necessary, and all substantive committees may create such sub-committees as they deems necessary, provided that all such sub-committees shall be created only by a majority vote of the creating body.

Rule No. 56. Proposals. The various articles of the proposed draft of a Constitution shall be prepared under the direction and supervision of the Convention's research staff. The research staff shall be assigned to the respective committees by the Chairman of the Convention after consultation with the chairman of the committee to which the staff will be assigned.

Committee Hearings

Rule No. 57. Quorum and Rules of Committees. A majority of any committee constitutes a quorum, but the question of the presence of a quorum of a committee may not be raised under the rule of parliamentary procedure. A majority of the members of committees may not be suspended by the rules of the Convention shall be observed in all committees as far as may be applicable, and, if applicable, may not be suspended.

Rule No. 58. A. Public Hearings, Records. No committee shall sit during sessions of the Convention or of the Committee of the Whole without special leave of a majority of Convention delegates present and voting. All committee hearings shall be publicized, be open to the public, and may be televised if authorized by the Committee. The voting of those wishing to be heard. Minutes of the committee meetings shall be recorded. All committee shall, and are hereby authorized to, hold public hearings either as a committee or through a designated sub-committee, said hearings to be conducted at such places and times as the committee may designate.

B. Appearance of Delegates or Witnesses. Any person wishing to be heard before a committee shall have a right to be heard subject to the rules of that committee.

C. Committees and sub-committees may take testimony under oath or affirmation, and the chairman of any committee or sub-committee is authorized to administer the oath.

Rule No. 59. Calling of Committees and Agenda. Each committee shall meet regularly, or as otherwise provided by the Convention, and shall also set its agenda. One-third of the members of the committee may in writing request the chairman to call a meeting of that committee, and, upon his failure to do so within forty-eight hours not including Saturdays, Sundays, and legal holidays, a majority of the members of the committee shall have the right to call a meeting of the committee and set its agenda and place of meeting under the appropriate notice requirements. Each proposal referred to a committee must appear on the committee's agenda at least once.

Rule No. 60. Reports. All proposals submitted to a substantive committee shall be forwarded immediately from that committee indicating committee action provided that a majority of the committee membership present and voting must approve the committee report; a minority report may also be made by any member of a substantive committee.

Rule No. 61. Form of Reports. The chairman of a substantive committee shall write after each proposal or resolution only the words "reported favorably," "reported unfavorably," "reported with amendments," "reported without action," "recommitted to the Committee on ___," "reported by voice vote," "recommitted with recommendation that it be referred to ___," and such case may be, which report shall be signed by the chairman. Should amendments be proposed, such amendment or amendments shall be written on a separate paper, original and two copies, numbered consecutively, and attached to the proposal or resolution, and under no circumstances shall words or sentences be interlined on the body of the measure, and the same be marked while in possession of committees.

Rule No. 62. Notice of Committee Meetings. No committee meetings may be held unless notice thereof is given in the form of the Chairperson or his designee. Notice of the members of the committee calling the meeting shall notify the Secretary of the Convention of the time, date, and place of the committee meeting. Within twenty-four hours thereof, the Committee meeting. Within twenty-four hours after the notice of the secretary shall file written notice with the secretary to all members of the committee, all persons who have written requests for notice with the Secretary, and to all members of the Convention who have introduced proposals on the subject matter to be considered. The committee hearing
shall not be scheduled less than four days from the date of notification to the Secretary. This rule shall apply only when the Convention is not in session.

B. Committee and sub-committee meetings while the Convention is in session may be called by the chairman or by a majority of the Convention members upon twenty-four hour notice given by announcement from the floor of the Convention and by posting the notice thereof on a designated bulletin board in the vicinity of the floor of the Convention at least twenty-four hours before such meeting.

Rule No. 63. Sub-committees. A committee, by the affirmative vote of a majority of its members, may provide for the appointment by the committee chairman of sub-committees composed of members of the committee. Reports of sub-committees shall be considered by the entire committee before any committee recommends any action thereon by the Convention. All rules applicable to committees shall be applicable to sub-committees.

Rule No. 64. Records. All written records and reports of the Convention shall be subject to provisions of the Public Records Act.

Committee of the Whole

Rule No. 65. Procedure. The Convention by a majority vote of the delegates present and voting may resolve itself into a Committee of the Whole for a specified time and purpose. The motion of the Committee of the Whole shall specify the maximum time during which the Committee shall sit:

A. The chairman shall designate a delegate to serve as chairman of the Committee of the Whole. The rules of procedure of the Convention shall apply insofar as applicable, except that delegates may speak more than once unless the chairman imposes limits on debate, actions will be governed by a majority of those present and voting, matters cannot be referred to other committees, no question may be laid on the table, the previous question cannot be ordered, and motions to adjourn will not be entertained.

B. Proposals in the Committee of the Whole shall be read through, debated and acted upon by sections. All amendments shall be in writing and reported to the Convention by the chairman.

C. A motion that the Committee of the Whole rise shall always be in order unless a delegate is speaking or a vote is being taken. The motion is not debatable and shall be decided by a majority vote of those present and voting.

Chapter 6

Transaction of Business

Daily Business

Rule No. 66. Order. The daily business of the Convention shall proceed as follows:

Morning Hour

1. Roll call.
2. Prayer.
3. Reading and adoption of Journal.
4. Petitions, Memorials, and Communications.
5. Introduction of resolutions.
7. Proposals on Introduction and First Reading.
8. Resolutions on Second Reading and Referral.
9. Proposals on Second Reading and Referral.
10. Reports of Committees Lying Over.
11. Reconsideration

Regular Order of the Day

13. Special Order.
14. Resolution on Third Reading and Final Passage.
15. Proposals on Third Reading and Final Passage.
16. Proposals on calendar for approval of final styling.

Rule No. 67. Change in Daily Order. The order of daily business set forth in the above rule shall be adhered to unless the chairman is so directed, and shall be otherwise decided by majority vote of the delegates present.

Rule No. 68. Time of Committee Referral. Where appropriate, all petitions and memorials shall be referred to the proper committee by the chairman as soon as read, whereupon a majority vote may be requested by a delegate.

Rule No. 69. Privileged Motions. When a question is under debate, no motion shall be received except:
1. To fix the time to which to adjourn.
2. To adjourn.
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motion, or a delegate designated by him, shall have the right to close, even after the previous question is ordered, unless the closing speech shall be limited to fifteen minutes.

B. Previous question on the entire subject matter. It shall only be admitted when ordered by a favorable vote on two-thirds of the delegates present and voting, and when carried, its effect shall be to put an end to all debate, and bring the Convention to a direct vote—

1) Upon the pending amendment and so on back to the first amendment offered;
2) Upon amendment reported by a committee, if any; and,
3) Upon the main question. But in all questions involving quantity or interest, or involving questions of quantity and similar questions, such questions involving the longest time, the largest interest or quantity shall be put first regardless of the order in which motions, amendments or substitutes, may have been made.

On a motion for the previous question on the entire subject matter, and prior to the ordering of the same, a call of the Convention shall be in order; but after the Convention shall have ordered such motion no call shall be in order prior to the decision of the question. On a motion, section, previous question on the entire subject matter, there shall be no debate. All incidental questions of order, arising after a motion is made for the previous question on the entire subject matter, and pending such motion, shall be decided without debate. After a call for the previous question on the entire subject matter has been sustained, the question shall be put and determined in order as above, without debate, on either amendments or the main question, provided that the proponents of the amendments and measure, or a delegate designated by him, shall respectively have the right to close the debate, after the previous question on the entire subject matter is ordered, which closing speeches shall be limited to a total of fifteen minutes.

Rule No. 77. Adjournment and Recess. A motion to adjourn or recess shall always be in order, except when, on a call for the previous question and previous question on the entire subject matter, the question shall have been ordered, or when a delegate has the floor, and shall be decided without debate.

Yeas and Nays

Rule No. 78. Voting after Decision is Announced. When the Yeas and Nays are taken on any question, no delegate shall be permitted, under any circumstances whatever, to vote after the decision has been announced by the chairman. The names of absentees on all calls of the yeas and nays shall be placed on a separate list.

Rule No. 79. Explanation of Vote. No delegate shall be permitted to explain his or her vote except as hereafter provided. Any delegate may explain his or her vote in writing or reasons for not voting in writing and request that such explanation be made part of the record.

Rule No. 80. Tie Votes. When the Convention is equally divided, the decision of the chairman shall be taken to break the tie, provided that the chairman, in this event, shall have previously voted as a delegate on the question.

Rule No. 81. Recording the Vote. On the passage on third reading of every proposal, section, or article the yeas and nays shall be entered in the Journal, and no proposal, section, or article shall be declared passed unless a majority of all delegates to the Convention shall have voted in favor of the passage of same.

Special Orders

Rule No. 82. Consent. No proposal, resolution or other subject shall be made a special order for a particular day without the consent of two-thirds of the delegates present.

Rule No. 83. Precedence. When two or more subjects shall have been specially assigned for consideration, they shall take precedence according to the order of time for which they were severally made or assigned, and said orders shall at no time be lost or changed except by direction of the Convention.

Rule No. 84. Change in Rules. Any standing rule of the convention may be rescinded, altered, or amended in the following manner: Notice shall be given in writing of the motion therefore, which motion shall be referred immediately by the chairman to the Committee on Rules, which shall file its report to the Convention within twenty-four hours of receipt of the motion. Two days after the filing of the proposed change, the motion shall be considered by the Convention with or without the report of the Committee on Rules, and for passage shall require a vote of a majority of the delegates to the Convention.

Rule No. 85. Suspension of Rules. One or more rules may be suspended for a specified purpose by the affirmative vote of two-thirds of the delegates present and voting or a majority of delegates to the Convention, whichever constitutes the lesser number.

Rule No. 86. Consideration of Proposals without Committee Recommendation. After one day’s notice the Convention, on motion passed by the affirmative vote of a majority of the delegates present and voting, may require a committee to return, with or without a recommendation, any proposal referred to the committee.

Rule No. 87. Notice. Whenever notice is required to be given by these rules, the following constitute notice for all purposes:

a) If the Convention is in session, an announcement made by the Secretary in open session shall constitute notice for all purposes.

b) If the Convention is not in session, the Secretary shall give notice to the delegates by U. S. Mail, certified, postage prepaid. The date of mailing shall constitute the date of the notice for all purposes under these rules.

Rule No. 88. Authority. On any question of order and parliamentary practice, when these rules are silent or inexplicit, Mason’s Manual of Legislative Procedure shall be considered authority.

Motion

Delegate Stagg moved that the rules be considered simultaneous.

Seconded by Delegate Kean.

Adopted without objection.

Rule No. 1. Call to Order. The Convention shall convene at such time as ordered on the preceding working day by a majority of the delegates and the chairman shall call the Convention to order at that time. If a quorum is in attendance, the Chairman shall cause the Journal of the preceding day to be read unless otherwise ordered by the Convention, to the end that any mistake may be corrected.

Read.

Delegate Stagg moved the adoption of Rule No. 1.

Seconded by Delegate Kean.

Adopted without objection.

Rule No. 2. Quorum. Sixty-seven delegates to the Convention shall constitute a quorum for the transaction of business.

Read.

Delegate Stagg moved the adoption of Rule No. 2.

Seconded by Delegate Kean.

Adopted without objection.

Rule No. 3. Roll Call. The secretary shall call the roll at the opening of each session of the Convention and announce whether or not a quorum is present. He shall announce the names of the delegates absent with leave of the Convention and the names of delegates absent without leave, and enter the names of all absentees upon the Journal. If a voting machine is provided, the machine shall be used whenever a roll call or a vote by yeas and nays is directed by or in accordance with these rules.

Read.

Delegate Stagg moved the adoption of Rule No. 3.

Seconded by Delegate Kean.

Delegate Kean sent up the following amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Kean to Committee...
Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 2, line 2, immediately after the word “names” delete “of all absentees” and insert in lieu thereof “all those present and absent”

Delegate Kean moved the adoption of the amendment.
Seconded by Delegate Rayburn.
Amendment adopted without objection.

On motion of Delegate Stagg, Rule 3, as amended was adopted without objection.

Rule No. 4. Quorum Calls. A quorum call may be demanded by any delegate during any session of the Convention. When, upon such call, it is found that less than a quorum is present, the chairman shall order the doors of the Convention closed and direct the secretary to call the roll of the Convention and to note the names of the absentees. After such roll call the names of the absentees shall again be called and those for whose absence no excuse, or an insufficient excuse, is made, may, by order of a majority of delegates present, be sent for and taken into custody by the Sergeant-at-Arms, or by his assistants appointed for the purpose, and brought to the floor of the Convention.

Read.
Delegate Stagg moved the adoption of Rule No. 4.
Seconded by Delegate Kean.

At this time the Hon. Wade O. Martin, Jr., Secretary of State, administered the following Oath of Office to Delegate Anthony J. Guarisco, Jr.

“I, Anthony J. Guarisco, Jr. do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and that I will faithfully and impartially discharge and perform all of the duties incumbent upon me as a delegate to the Constitutional Convention of 1973, according to the best of my ability and understanding. So help me God.”

Delegate O'Neill sent up floor amendments which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate O'Neill to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 2, line 13, immediately after the word “absence” and before the words “no excuse” insert the following: “the majority of the delegates find”
Seconded by Delegate Wisham.
And the amendment was rejected viva voce.

On motion of Delegate Stagg, Rule No. 4 was adopted viva voce.

Rule No. 5. Absence from Convention Service. No delegate shall absent himself from the service of the Convention without first obtaining leave of the Convention. A majority of delegates may prescribe penalties for the non-attendance of delegates.
Delegate Stagg moved the adoption of Rule 5.
Seconded by Delegate Kean.

Delegate Kean in the Chair
Delegate Tapper sent up a Floor Amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Tapper to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 2, line 20, immediately after “Convention” strike out the remainder of the line and strike out lines 21 and 22 in their entirety.
Delegate Tapper moved the adoption of the amendments.
Seconded by Delegate Segura.
And upon a division of the Convention, and by a vote of 65 yeas and 50 nays, the amendment was adopted.

Motion
Delegate Abraham moved the previous question.
Delegate Stinson objected.

Point of Order
Delegate Stinson sought a ruling of the Chair as to whether the motion for the previous question was in order.
The Chair ruled that the motion for the previous question was in order.

Appeal
Delegate Stinson appealed the ruling of the Chair that the motion for the previous question was in order.
And upon a division of the Convention, the Chair was sustained.
And the vote recurred on the motion for the previous question.
Upon a division of the Convention, and by a vote of 89 years and 24 nays, the previous question was ordered.
Delegate Stinson sent up floor amendment, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Stinson to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 2, line 20, immediately after the word “out” delete the word “first”
Delegate Stinson moved the adoption of the amendment.
Seconded by Delegate Roemer.
The amendment was adopted, viva voce.

Chairman Henry in the Chair
At this time the Hon. Wade O. Martin, Jr., Secretary of State, administered the following oath of Office to delegates Stephenson and Hardee.

“I, James E. Stephenson and Henry G. Hardee do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention of 1973, according to the best of my ability and understanding. So help me God.”

Delegate Bergeron sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Bergeron to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 2, line 19, immediately after the word "Convention" and insert the following:

while in session.

Delegate Bergeron moved the adoption of the amendment.

Seconded by Delegate Bergeron.

And the amendments was adopted viva voce.

Delegate Burson sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Burson to Committee
Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 2, line 20, immediately after the word and punctuation "convention" add the following:

"Leave for absence from a daily session may be obtained from the Chairman as prescribed in Rules 34."

Delegate Burson moved the adoption of the amendment.

Seconded by Delegate Leigh.

And the amendment was adopted viva voce.

Delegate Stagg moved the adoption of Rule 5, as amended.

Seconded by Delegate Kean.

And Rule 5, as amended, was adopted, viva voce.

Recess
Delegate Juneau moved that the convention be recessed until 1:45 o'clock, P.M., which motion was agreed to without objection.

And the Chairman declared the Convention in recess until 1:45 o'clock, P.M.

After Recess
Chairman Henry called the Convention to order.

Delegate Tate suggested the absence of a quorum.

ROLL CALL
The roll being called the following delegates answered to their name:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aeriker
Alexander
Anzalone
Arnette
Assiff
Avant
Badeaux
Bel
Bergeron
Bollinger
Brown
Burns
Burson
Carmouche
Champagne
Chatelain
Chehardy
Conno
Corne
Cowen
D'Gerolamo
Dennis
Derbes
Drew
Dunlap
Duval
Edwards
Eikins
Fayard
Flory
Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Gravel
Grier
Guarisco
Hardee
Hernandez
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Lambert
Landrum
Landry, A.
Landry, E. J.
LANier
LeBleu
LeBreton
Leigh
Leithman
Lennox
Lennox
LeDaniel
Gren
Granger
McDaniel
Martin
Maugerret
Miller
Monson
Newton
O'Neil
O'Reilly
Perez
Perkins
Planchard
Reeves
Riecke
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Stagg
Stephenson
Stovall
Sutherland
Tapper
Taylor
Thistlethwaite
Thompson
Tobias
Toca
Triche
Ullo
Velazquez
Vesich
Vick
Wall
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Delegates—
Alario
Armentor
Blair
Brown
Cannon
Casey
Colten
Conroy
De Bileux
Kilpatrick
Toomy
Mire

ABSENT

Delegates—
Dennery
Fowler
Guidry
Hayes
Haynes
Jack
Jackson, A.

And the Chair announced there were 106 members present and a quorum.

Rule No. 6. Absent Delegates. At any time the Convention is in session, whether upon first convening of the day's session or at any time after the hour has arrived to which the Convention stood adjourned, the chairman is authorized to send the Sergeant-at-Arms for any or all absent delegates as the majority of such delegates present shall agree.

Read.

Delegate Stagg moved the adoption of Rule No. 6.

Seconded by Delegate Kean.

And the Rule was adopted, viva voce.

Rule No. 7. Expense of Compelling Attendance. Any expenses involved in compelling the presence of an absent delegate shall be borne by such delegate, unless such expense of non-attendance has been made as a majority of a quorum shall judge sufficient, in which case the expense shall be paid out of the appropriated funds to the Convention.

Read.

Delegate Stagg moved the adoption of Rule No. 7.

Seconded by Delegate Kean.

And the Rule was adopted, viva voce.

Rule No. 8. Persons Admitted. No person shall be admitted on the Convention floor while the Convention is in session or during the period five minutes before the time set for the convening of each session or the period five minutes after the adjournment of each session, except that delegates and members of the Convention staff may remain on the floor. Representatives of the news media shall be admitted to the floor as provided in Rule 11. Written messages may be delivered to the delegates by a sergeant-at-arms from persons outside the restricted area. The Convention floor, for purposes of these rules, is defined as the entire enclosed seating area of the delegates.

Delegate Stagg moved the adoption of Rule No. 8.

Seconded by Delegate Leithman.

And the Rule was adopted, viva voce.

Rule No. 9. Restrictions on the Convention Floor. One chair shall be allowed each delegate on the convention floor and no other chairs shall be permitted in this section.

Read.

Delegate Stagg moved the adoption of Rule No. 9.

Seconded by Delegate Kean.

Delegate Stagg sent up floor amendments to both Section 9 and Section 10 which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 3, line 14 change “convention” to “Convention”

AMENDMENT No. 2—
On page 3, line 17 change “convention” to “Convention”

And the amendments were adopted without objection.

On motion of Delegate Stagg, Rule 9, as amended, was adopted viva voce.

Rule No. 10. Special Permission. Special permission to sit on the convention floor may be granted by the chairman of the Convention to visiting officials of other states or of the United States or of foreign countries.

Read.

Delegate Stagg moved the adoption of Rule 10 as previously amended.

Seconded by Delegate Leithman.

And the Rule was adopted, viva voce.

Rule No. 11. News Media. A designated place in the Convention Hall shall be provided for the news media, who shall have free access thereto. Accreditation of members of the press and of members of any news media for admission shall be administered by the Chairman. No member of the press or of any news media shall conduct any interview with a delegate on the Convention floor while the Convention is in session.

Read.

Delegate Stagg moved adoption of Rule No. 11.

Seconded by Delegate Leithman.

And Rule No. 11 was adopted viva voce.

Rule No. 12. Administration of Rules. The Chairman of the Convention shall provide for the administration of the rules governing admission to the Convention as provided herein.

Read.

Delegate Stagg moved adoption of Rule No. 12.

Seconded by Delegate Leithman.

And Rule No. 12 was adopted viva voce.

Rule No. 13. Regulation of Convention Area. The Chairman shall have the regulation and control of such parts of the Convention Hall and its passage or any other places of general assembly as are or may be set apart for the use of the Convention, its officers and employees.

Read.

Delegate Stagg moved adoption of Rule No. 13.

Seconded by Delegate Leithman.

And Rule 13 was adopted viva voce.

Rule No. 14. Restrictions on Non-Delegates. No motion shall be deemed in order to admit any person not a delegate to the Convention floor to present any petition, memorial or address, or to read same.

Read.

Delegate Stagg moved adoption of Rule No. 14.

Seconded by Delegate Leithman.

Delegate Burson sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 4, line 2, after the words “in order” insert the following:

“except a motion to suspend the rules or a motion to go into the committee of the whole,”

Delegate Burson moved adoption of amendment.

Seconded by Delegate Bollinger.

And the amendment was adopted viva voce.

Delegate Triche sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Triche to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 4, line 2, after the words “in order” insert the following:

“except in the Committee of the Whole as may be provided by the Convention in accordance with Rule No. 65,”

Delegate Triche moved the adoption of the amendment.

Seconded by Delegate O’Neill.

And the amendment was adopted viva voce.

Delegate Stagg moved the adoption of Rule No. 14, as amended.

Seconded by Delegate Leithman.

And the Rule was adopted viva voce.

Rule No. 15. Open Meetings. All meetings of the Convention shall be open to the public and the news media.

Read.

Delegate Stagg moved the adoption of Rule 15.

Seconded by Delegate Leithman.

Delegate Roemer sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Roemer to Committee Resolution No. 1 by Delegate Stagg.

Amend the printed proposed rules as follows:

AMENDMENT No. 1—
On page 4, at the beginning of line 6, after the partial word “tion” and before the word “shall” insert the following: “including committee meetings”

Delegate Roemer moved the adoption of the amendment.

Seconded by Delegate Reeves.

And the amendment was rejected, viva voce.

Delegate Jenkins sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 4, line 6, after the portion of the word “tion” insert the words...
Delegate Jenkins moved the adoption of the amendments.
Seconded by Delegate LeBreton.

On motion of Delegate Jenkins the amendments were withdrawn.

At this time the Hon. David R. Poynter, Clerk of the House of Representatives, administered the following Oath of Office to Delegate Chris Roy.

OATH

"I, Chris Roy do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention of 1973, according to the best of my ability and understanding. So help me God." (underscored words supplied)

Delegate Stagg moved the adoption Rule No. 15.
Seconded by Delegate Kean.

And the Rule was adopted viva voce.

Delegate Lambert sent a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Lambert to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 21, between lines 10 and 11, insert the following:

"Rule No. 15.1. Public Notice. The provisions of R.S. 42:7 shall be applicable to all meetings of this Constitutional Convention, all meetings of its committees, sub-committees, all proceedings, hearings and other related activities."

Delegate Lambert moved the adoption of the amendment.

On motion of Delegate Lambert the amendment was withdrawn.

Rule No. 16. Convention Officer. The officers of the Convention shall be a Chairman, who shall be Chairman of the Convention, a First Vice-Chairman, three Vice-Chairmen, a Secretary, and a Treasurer. These officers shall constitute the Executive Committee of the Convention, shall be delegates to the Convention, and shall each be elected in separate elections by a majority vote of all of the delegates of the Convention.

Read.

Delegate Stagg moved the adoption of Rule No. 16.
Seconded by Delegate Kean.

Delegate Reeves sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Reeves and Roemer to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 4, line 13, strike out the word "constitute" and insert in lieu thereof "be members of"
Chairman Henry in the Chair

On motion of Delegate Roy the amendment was withdrawn.

Delegate Avant sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—

On page 5, between lines 10 and 11 insert the following:

"E. Any other provision in these rules to the contrary notwithstanding the Executive Committee may, when performing the duties assigned it in this rule, meet in Executive Session but no committee action shall be taken while in Executive Session."

Delegate Avant moved the adoption of the amendment.

Seconded by Delegate Zervigon.

On motion of Delegate Avant, the amendment was withdrawn.

Delegate Avant sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—

On page 5, between lines 10 and 11 insert the following:

"E. Any other provision in these rules to the contrary notwithstanding the Executive Committee may, when performing the duties assigned it in this rule with respect to personnel matters, meet in Executive Session but no committee action shall be taken while in Executive Session."

Delegate Avant moved the adoption of the amendment.

Seconded by Delegate Zervigon.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham

Alexandros

Arnette

Aseff

Avant

Brien

Cannon

Carmouche

Chatelain

Colten

Conino

Corne

Cowan

DeBleux

Deneney

DeShotsel

Dunlap

Duval

Elks

Flory

Fontenot

Fulco

Gauthier

Ginn

Gravel

Grier

Hardee

Juneau

Kilbourne

Landry, E. J.

Leigh

Leithman

Lowe

McDaniel

Martin

Mauberret

Miller

Mire

Munson

Newton

Nunez

O’Neill

Petersen

Perez

Roy

Robinson

Segura

Slay

Smith

Stagg

Stinson

Stovall

Sutherland

Thompson

Tobias

Triche

Velasquez

Vesci

Vick

Weiss

Willis

Winchester

Wisham

Womack

Zervigon

NAYS

Delegates—

Fowler

Giarrusso

Guarisco

Guidry

Hayes

Haynes

Jackson, A.

Jackson, J.

Jenkins

Kelly

Kilpatrick

Lambert

Landrum

Landry, R.

Lanier

LeBleux

LeBreton

Lennox

O’Neill

Planchard

Fialk

Rayburn

Reeves

Roemer

Riecke

Sandoz

Schmitt

Shannon

Silverberg

Singletary

Sisley

Stephenson

Tapper

Tate

Taylor

Thistlethwaite

Toca

Toomy

Ull

Walls

Warren

ABSENT

Delegates—

Mr. Chairman

Armentor

Total—4.

And the amendment was adopted.

Delegate Rayburn sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Rayburn and Fayard to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—

On page 5, between lines 10 and 11, insert the following:

"F. Any delegate may attend any executive session held by the Executive Committee or any other committee."

Delegate Rayburn moved the adoption of the amendment.

Seconded by Delegate DeBleux.

And the amendment was adopted.

Delegate Gravel sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—

On page 5, between the lines 10 and 11 add the following:

"G. Perform such additional duties as may be directed or prescribed by the Convention."

Delegate Gravel moved the adoption of the amendment.

Seconded by Delegate Chehardy.

And the amendment was rejected, viva voce.

Delegate Duval moved the adoption of Rule 18, as amended.

Seconded by Delegate Lanier.

And Rule 18, as amended, was adopted, viva voce.

Rule No. 16, Convention Officers. The officers of the Convention shall be a Chairman, who shall be Chairman of the Convention, a First Vice-Chairman, three Vice-Chairmen, a Secretary, and a Treasurer. These officers shall constitute the Executive Committee of the Convention, shall be delegates to the Convention, and shall each be elected in separate elections by a majority vote of all of the delegates of the Convention.

Read.

Delegate Stagg moved the adoption of Rule 16.

Seconded by Delegate Keen.

Delegate Leigh sent up a floor amendment which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate Leigh to Committee Resolution No. 1 by Delegate Stagg.

Amend the printed Proposed Rule as follows:

AMENDMENT No. 1—

On page 4, line 13, after the word "officers" and before the word "shall" insert the following: "together with a representative from any Congressional District not otherwise represented thereon, to be elected by caucus of the members of the Congressional District involved."

Delegate Leigh moved the adoption of the amendment.

Delegate Duval seconded the motion.

And the amendment was rejected, viva voce.

Delegate Roemer sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Roemer to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:
The Convention was called to order at 10:00 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman Fowler Planchard
Abraham Pulco Rachel
Aeriker Gauthier Rayburn
Alario Girrusso Reeves
Alexander Ginn Riecke
Anzalone Gravel Robinson
Arnette Grier Roemer
Asseff Guldry Roy
Avant Hardee Sandor
Badeaux Hayes Schmitt
Bel Haynes Segura
Bergeron Hernandez Silverberg
Blair Jackson, A. Singletery
Bollinger Jackson, J. Slay
Brien Jenkins Smith
Burns Juneau Snobin
Burson Keen Stagg
Cannon Kilbourne Stephenson
Carmouche Kilpatrick Stovall
Casey Lambert Sutherland
Champagne Landrum Tapper
Chatelain Landry, A. Tate
Chehardy Landry, E. J. Taylor
Colten Landier Thompson
Conio LeBlanc Thistlethwaite
Conrey LeBreton Tobias
Corne Leigh Tribble
Coxen Leithman Toca
Cowan Leithman Tompkins
D'Gerolamo Lennox Triche
De Blieux Lowe Ullo
Demmer McDaniel Velazquez
Dennis Martin Vesich
Derbes Mauberret Vick
Deshotels Miller Wall
Drew Mire Warren
Dunlap Munson Weiss
Duval Newton Willis
Edwards Nunez Winchester
Ellins O'Neill Wisham
Eyraud Oursou Womack
Flory Perez Zevrigon
Fontenot Perkins

ABSENT

Armentor Guarisco Jack

The Chairman announced that there were 129 members present and a quorum.

Prayer

Prayer was offered by Delegate De Blieux.

Pledge of Allegiance

Delegate Duval led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Leithman, the reading of the Journal was dispensed with.

The Convention then returned to the business in which it was engaged at the time of adjournment on yesterday.

And the Chair declared that the Convention had under consideration at the time of adjournment Rule No. 16 of Committee Resolution No. 1, by Delegate Stagg on behalf of the Temporary Committee on Rules.

Rule No. 16. Convention Officers. The officers of the Convention shall be a President, who shall be Chairman of the Convention, a First Vice-Chairman, three Vice-Chairmen, a Secretary, and a Treasurer. These officers shall constitute the Executive Committee of the Convention, which shall be delegates to the Convention, and shall each be elected in separate elections by a majority vote of all of the delegates of the Convention.

Read.

Delegate Roy sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Roy to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 4, line 13, immediately after the period "," strike out the remainder of the line in its entirety.

AMENDMENT No. 2—
On page 4, strike out lines 14 through 17 in their entirety and insert in lieu thereof the following:

"There shall be an Executive Committee which shall be composed of the officers of the Convention and sixteen delegates, with two delegates to be elected from each congressional district in which they resided at the time of qualification or appointment. Such voting shall be in separate congressional caucuses. The Executive Committee shall elect from its membership a Chairman and such other officers as it deems necessary. The Executive Committee shall have such duties as are prescribed by law or hereinafter set forth in these Rules."

On motion of Delegate Roy, the amendments were withdrawn.

Delegate Roy sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Roy on Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 4, line 13, immediately after the period "," strike out the remainder of the line in its entirety.

AMENDMENT No. 2—
On page 4, strike out lines 14 through 17 in their entirety and insert in lieu thereof the following:

"There shall be an Executive Committee which shall be composed of the officers of the Convention and sixteen delegates, with two delegates to be elected from each congressional district in which they resided at the time of qualification or appointment. Such voting shall be in separate congressional caucuses. The Chairman of the Convention shall serve as Chairman of the Executive Committee. The Execu-
tive Committee shall have such duties as are prescribed by law or hereinafter set forth in these Rules."

On motion of Delegate Roy the amendments were withdrawn.

Delegate Roy sent up floor amendments which were read as follows:

### FLOOR AMENDMENTS

Amendments proposed by Delegate Roy to Committee Resolution No. 1 by Delegate Stagg.

 Amend the original Resolution as follows:

**AMENDMENT No. 1**

On page 4, line 13, immediately after the period "," strike out the remainder of the line in its entirety.

**AMENDMENT No. 2**

On page 4, strike out lines 14 through 17 in their entirety and insert in lieu thereof the following:

"There shall be an Executive Committee which shall be composed of the officers of the Convention and sixteen delegates, with two delegates to be elected from each congressional district in which they resided at the time of qualification or appointment. Such voting shall be in separate congressional caucuses. The Chairman of the Convention shall serve as Chairman of the Executive Committee. No member of the Executive Committee, other than the Chairman of the Convention shall serve on the Committee on Committees nor shall the Executive Committee serve as the Committee on Committees. The officers of the Convention shall be delegates to the Convention and shall each be elected in separate elections by a majority vote of all the delegates of the Convention."

Delegate Roy moved the adoption of the amendment.

Seconded by Delegate Bollinger.

A roll call vote was asked for and ordered by the Convention.

### ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Yeas</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Dennis</td>
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<td>Abraham</td>
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<td>Acker</td>
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<td>Alario</td>
<td>Drew</td>
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<td>Alexander</td>
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<td>Anzalone</td>
<td>Duval</td>
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<td>Edwards</td>
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<td>Avant</td>
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<td>Badeaux</td>
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<td>Fontenot</td>
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<td>Bollinger</td>
<td>Gauthier</td>
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<td>Brien</td>
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<td>Brown</td>
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<td>Burns</td>
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<td>D'Gerolamo</td>
<td>Kilbourne</td>
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<td>Dennery</td>
<td>Kilpatrick</td>
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**NAYS**

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<tr>
<th>Delegate</th>
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<tr>
<td>Sutherland</td>
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<td>Stephenson</td>
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<td>Reeves</td>
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<td>Robinson</td>
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<td>Royle</td>
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<td>Sandoz</td>
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**ABSENT**

<table>
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<tr>
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<tbody>
<tr>
<td>De Blieux</td>
<td>Guameno</td>
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<tr>
<td>Lennox</td>
<td>Tete</td>
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<tr>
<td>Smith</td>
<td>Weiss</td>
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<td>Total</td>
<td>3</td>
</tr>
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</table>

And the amendments were adopted.

Delegate Roy sent up a floor amendment, which was read as follows:

### FLOOR AMENDMENT

Amendment proposed by Delegate Roy to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1**

On page 4, in Convention Floor Amendment No. 2, proposed by Delegate Roy and adopted by the Convention on January 13, 1973, in the sentence "The officers of the Convention shall be elected in separate elections by a majority vote of all the delegates of the Convention." strike out the words "in separate elections" and after such sentence add the following:

"The Chairman, First Vice-Chairman, Secretary and Treasurer shall be elected in separate elections. Therefore the three Vice-Chairmen shall be elected together in a single election from separate divisions designated alphabetically and each candidate shall declare for which division he or she is a candidate. No delegate shall be nominated for more than
Delegate Roy moved the adoption of the amendment.
Seconded by Delegate Taylor.
And the amendment was rejected, viva voce.

Recess
On motion of Delegate Weiss the Convention was recessed until 1:30 o’clock, P.M.

After Recess
The Convention was called to order by Chairman Henry at 1:30 o’clock, P.M.
Delegate Duval suggested the absence of a quorum.

ROLL CALL
The roll being called the following Delegates answered to their names:

DELEGATES—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Assef
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chateaux
Chehardy
Colten
Conibo
Conroy
Corne
Coven
D’Gerolamo
De Blieux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

PRESENT
Fowler
Fulco
Gauthier
Garrusso
Ginn
Gravel
Grier
Hardee
Hayes
Haynes
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kem
Kelly
Kibbourne
Kilpatrick
Lambert
Landrum
Landry
Landry, J.
Lari
LeBlanc
LeBreton
Leigh
Leithman
Lennox
Lewis
McDaniel
Marlin
Maubret
Miller
Munson
Newton
Nunez
O’Neill
Ouzo
Perez
Perkins
Planchard

Total—126.

RACIAL
Rayburn
Reeves
Riecke
Robinson
Romer
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Tupper
Tate
Taylor
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Triche
Ullo
Velasquez
Vesich
Vick
Wall
Warren
Weiss
Willis
Winchester
Wisam
Womack
Zervigon

Absent
Guarisco
Guldry
Jack
Mire

The Chairman announced that there were 126 members present and a quorum and that the Convention had before it Rule No. 16 of Committee Resolution No. 1.
Delegate Keen sent up a floor amendment which was read as follows:

FLOOR AMENDMENTS
Amendment proposed by Delegate Keen to Committee Resolution No. 7 by Delegate Stagg.
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 4, immediately following the portion of the sentence: “...nor shall the Executive Committee serve as the Committee on Committees” added by Convention Floor Amendment No. 2, proposed by Delegate Roy and adopted by the Convention on January 13, 1973, insert the following:

“The Executive Committee may divide itself into sub-committees and assign to any such sub-committees any duty or duties of the Executive Committee.”

Delegate Keen moved the adoption of the amendment.
Seconded by Delegate Stagg.
Upon a division of the Convention, the amendment was rejected by a vote of 54 yees and 83 nays.
Delegate Stagg moved the adoption of Rule No. 16, as amended.
Delegate Wismatch seconded the motion.
And the Rule No. 16 was adopted, as amended, viva voce.

Rule No. 17. Convention Employees.
A. A Chief Clerk and a Sergeant-at-Arms shall be employed by the Chairman of the Convention subject to the approval of a majority vote of the entire Convention; they shall not be delegates to the Convention.
B. All other employees, necessary to aid the Convention, shall be employed by the Executive Committee of the Convention in accordance with Act 3 of the 1972 Regular Session. Read.
Delegate Stagg moved the adoption of Rule 17.
Seconded by Delegate Reeves.
And the rule was adopted, viva voce.

Rule No. 19. Duties. The Chairman shall be the presiding officer and the Chief Executive Officer of the Convention, and as such, Chairman of the Executive Committee. He shall:
A. Preside at sessions of the Convention and exercise the usual powers and perform the usual duties of a presiding officer;
B. Preserve order and decorum;
C. Speak to points of order, and subject to an appeal to the Convention, decide all points of order;
D. Confer with delegates, in debate, the question, prevent personal reflections, and determine the order of recognition when two or more delegates rise at the same time;
E. Designate the First Vice-Chairman to preside in his absence and establish the order of the Vice-Chairmen to preside in the absence of both the Chairman and the First Vice-Chairman;
F. Name a delegate to preside as chairman on each occasion when the Convention sits as a Committee of the Whole;
G. Assign, with the assistance of the Executive Committee, the delegates to their seats, according to congressional districts;
H. At the request of at least twenty-seven delegates, a recorded yeas and nays vote shall be ordered by the Chairman;
I. Sign all official documents of the Convention, attested by the Secretary;
J. Make corrections of the official journal of the Convention, if necessary, attested by the Secretary with notification of any substantive changes being made to the Convention at large;
K. Direct the Convention in its official activities, including naming delegates to perform duties connected with the business of the Convention;
L. Not engage in debate when sitting as Chairman, nor shall he vote on appeals from his rulings;
M. Maintain general control of the Convention Hall, its environs, and all doors set apart for use of the Convention;
N. Sign all warrants and/or checks;
O. Supervise the Convention staff, provided that he may delegate certain of this function to members of the staff;
P. On his own initiative or at the direction of the Convention appoint such special committees as may be necessary to perform special functions.

Read.
Delegate Stagg moved the adoption of Rule 19.
Delegate Thompson seconded the motion.
Delegate Casey sent up floor amendments which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Casey to Committee Resolution No. 1 by Delegate Stagg.
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 5, line 30, after the word “seats” delete the comma “,” and in lieu thereof insert a “;” and delete the remainder of line 30.

AMENDMENT No. 2—
On page 5, delete all of line 31.
Delegate Casey moved the adoption of the amendments.
Seconded by Delegate LeBreton.
And the amendment was adopted, viva voce.
Delegate Dennery sent up floor amendments which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Dennery to Committee Resolution No. 1 by Delegate Stagg.
Amend the printed Rules as follows:

AMENDMENT No. 1—
On page 6, line 13 delete the words “and/or checks”

AMENDMENT No. 2—
On page 8, delete line 10 in its entirety.

AMENDMENT No. 3—
On page 9, between lines 1 and 2, add the following Rule 25(1) to read as follows:
“Rule 25(1). All checks shall be signed by the Chairman or the first vice-chairman and by the treasurer or the chief clerk.”

Delegate Dennery moved the adoption of the amendments.
Seconded by Delegate Toca.
And the amendments were adopted.
Delegate Stagg moved the adoption of Rule 19, as amended.
Delegate Kean seconded the motion.
And the Rule was adopted, as amended.

Rule No. 20. Duties. The First Vice-Chairman shall serve as First Vice-Chairman of the Convention, and as such, shall:
A. Preside as acting Convention chairman, when requested to do so by the Convention Chairman, or in the absence or inability of the Chairman to serve;
B. Serve as a member of the Executive Committee of the Convention, and carry out such other duties as are assigned by the Chairman;
C. Serve as an ex officio member of the Committee on Rules, Credentials, Ethics and Schedules, but shall have no vote and shall not be counted for the purpose of obtaining a quorum.

Delegate Stagg moved the adoption of Rule 20.
Delegate Miller: seconded the motion.
Delegate De Bieux sent up floor amendments which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate De Bieux to Committee Resolution No. 1.
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 6, line 30, after the word “vote” and before the word “and” insert the word “therein”.

AMENDMENT No. 2—
On page 6, line 31, after the word “quorum” and before the period, “.” insert the word “thereof”.
Delegate De Bieux moved the adoption of the amendments.
Delegate Schmitt seconded the motion.
And the amendment was adopted.
Delegate Stagg moved the adoption of Rule 20 as amended.
Seconded by Delegate De Bieux.
And the Rule was adopted.

Rule No. 21. Vice-Chairmen. The Vice-Chairmen shall:
A. Preside in the absence of the Chairman and the First Vice-Chairman in the order established by the Chairman as provided in Rule No. 19B;
B. Serve as members of the Executive Committee and carry out such duties as are assigned by the Chairman;
C. The Chairman shall designate Vice-Chairmen to serve ex officio on each of the three remaining procedural committees. No Vice-Chairman shall have a vote on the committee to which he is assigned and shall not be counted for the purpose of obtaining a quorum.

Read.
Delegate Stagg moved the adoption of Rule 21.
Seconded by Delegate Kean.
Delegate Stagg sent up floor amendments which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg:
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 6, between lines 31 & 32 insert:
“Vice-Chairmen”

AMENDMENT No. 2—
On page 6, line 32, strike out “Vice-Chairmen” and insert “Duties”

AMENDMENT No. 3—
On page 7, insert the word “thereof” after the word quorum
Delegate Stagg moved adoption of the amendment.
Seconded by Delegate Tapper.
And the amendment was adopted.
Delegate Stagg moved the adoption of Rule No. 21 as amended.
Seconded by Delegate Kean.
And the Rule was adopted.
Delegate LeBreton moved the adoption of the amendment.
Delegate Blair seconded the motion.
And the amendment was rejected, viva voce.
Delegate Stagg moved the adoption of the Rule No. 22 as amended.
Delegate Velazquez seconded the motion.
And the rule as amended was adopted.

Rule No. 23. Delegation of Secretary's Duties to Chief Clerk. Except for certification of official acts, documents and vouchers, and service on the Executive Committee, the Secretary may delegate his duties to the Chief Clerk, subject to supervision by the Secretary.

Read.
Delegate Stagg moved the adoption of Rule No. 23.
Seconded by Delegate Kean.
And the Rule was adopted.

Rule No. 24. Duties. The Treasurer shall:
A. Exercise responsibility for the accuracy of the Convention's financial records and the monthly distribution of financial statements to the delegates of the Convention;
B. Co-sign, with the Convention Chairman, all warrants and/or checks;
C. Serve as custodian of all Convention financial records;
D. Assist in the preparation of the Convention's budget;
E. File quarterly audits and the final audit of financial records with the State Treasurer, Clerk of the House of Representatives, and the Secretary of the Senate;
F. Make financial records of the Convention available for audit to the Louisiana Legislative Auditor quarterly and at the end of the Convention;
G. Serve as a member of the Executive Committee, and carry out such other duties as may be assigned by the Chairman.

Read.
Delegate Stagg moved the adoption of Rule No. 24.
Seconded by Delegate Alario.
And the Rule was adopted.

Rule No. 25. Duties. The Chief Clerk:
A. Shall not be a delegate to the Convention;
B. Shall perform general administrative duties of the Convention subject to supervision of the Chairman, and when he assumes the duties of the Secretary as provided in Rule No. 22, he shall do so under the supervision of the Secretary;
C. Shall be answerable to the entire Convention for faithful execution of his duties and the smooth functioning of the Convention in assembly as a deliberative body;
D. Shall serve as Parliamentarian of the Convention and shall be advisor and counsel to the Chairman and committee chairmen on all matters of parliamentary procedure; however, all parliamentary rulings shall be the responsibility of, and shall be made by the Chairman.

Read.
Delegate Stagg moved the adoption of Rule No. 25.
Seconded by Delegate Velazquez.
Delegate Stagg sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg:
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 7, line 13, delete the words "a verbatim written record and"
Delegate LeBreton moved the adoption of the amendment.
Which motion was seconded from the floor.
And the amendment was rejected, viva voce.
Delegate Juneau sent up a floor amendment which was read as follows:

FLOOR AMENDMENTS
Amendment proposed by Delegate Juneau to Committee Resolution No. 1 by Delegate Stagg:
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 7, line 14, delete the word "proceedings" and insert in lieu thereof the word "sessions"
Delegate Juneau moved the adoption of the amendment.
Delegate LeBreton seconded the motion.
And the amendment was adopted.
Delegate LeBreton sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate LeBreton to Committee Resolution No. 1 by Delegate Stagg:
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 7, line 13, after the word "a" and before the word "written" delete the word "verbatim"
3rd Days Proceedings—January 13, 1973

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg, et al.

FLOOR AMENDMENT

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 9, line 17, change “oath” to “oaths”

Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Kean.
And the amendment was adopted.
Delegate Stagg moved the adoption of the Rule, as amended.
Seconded by Delegate Kean.
And the Rule, as amended was adopted.

Rule No. 26. Duties. The Sergeant-at-Arms shall:
A. Attend the Convention during its sitting, to execute commands as directed to him by the chairman, including signing for and delivery of correspondence addressed to delegates;
B. Maintain order in the Convention Hall and execute Rules of the Convention concerning admission to the floor;
C. Maintain order at committee hearings and assist committee chairmen in their duties.
D. Exercise supervisory control over his assistants, subject to direction of the chairman.

Read.
Delegate Stagg moved adoption of Rule 26.
Seconded by Delegate Arnette.
And the Rule was adopted.
Delegate Stagg sent up amendments which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.

FLOOR AMENDMENT

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 9, between lines 12 and 13, insert the following: Rule 26.1 Vacancies

If a vacancy occurs in the office of Chairman, the first Vice-Chairman shall temporarily preside until the Convention elects a Chairman to fill the office in the same manner in which the officer was first elected.

If a vacancy occurs in the office of any of the Vice Chairmen or in the office of the Secretary or Treasurer, the Chairman shall appoint a delegate to exercise the powers of that vacant office until the Convention fills the vacancy in the same manner in which the officer was first elected.

Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Kean.
And the amendment was adopted.

Rule No. 27. Delegates Oath. No delegate shall be qualified to serve unless and until he has taken the prescribed oath.

Read.
Delegate Stagg moved the adoption of Rule No. 27.
Seconded by Delegate Kean.

Delegate Stagg sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg, et al.

Amend the original Resolution as follows:

AMENDMENT No. 1—

On page 9, line 17, change “oath” to “oaths”.

Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Kean.
And the amendment was adopted.
Delegate Stagg moved the adoption of the Rule, as amended.
Seconded by Delegate Kean.
And the Rule was adopted.

Rule No. 28. Recognition in Debate. When any delegate desires to speak in debate or present any matter to the Convention, he shall rise and address himself to the chair. He shall not speak until recognized, and when recognized, he shall confine himself to the question under debate.

Read.
Delegate Stagg moved the adoption of Rule No. 28.
Seconded by Delegate Kean.
And the Rule was adopted.

Rule No. 29. Transgression of Rules. If any delegate in speaking or otherwise transgresses the rules of the Convention, the chairman shall call the delegate to order; in which case the delegate shall sit down and shall not proceed without leave of the chairman or the Convention.

Read.
Delegate Stagg moved the adoption of Rule No. 29.
Seconded by Delegate Kean.
And the Rule was adopted.

Rule No. 30. Limits on Debate. Delegates shall not speak more than once to the same question, nor more than fifteen minutes, without leave of the Convention, unless the delegate is the mover, proposer or introducer of the matter pending, in which case, either the delegate and/or his designee shall be permitted to speak in reply, but not until every delegate choosing to speak shall have spoken, except where the previous question or the previous question on the entire subject matter has been ordered. When the previous question has been ordered, the mover, proposer or introducer shall nonetheless have the right to speak or reply as provided in Rule No. 76. The time for reply shall not exceed a total of fifteen minutes.

Read.
Delegate Stagg moved the adoption of Rule No. 30.
Seconded by Delegate Riecke.
And the Rule was adopted.

Motion

Delegate Kean moved that Rule No. 30, just adopted, be applied during the remainder of the consideration of Committee Resolution No. 1.

The motion was seconded by Delegate Chatelain.
And the motion carried.

Rule No. 31. Prohibited Behavior. No delegate shall walk off of the Convention floor during roll calls, nor shall any delegate in any way impede the business of the Convention by interrupting delegates who are speaking, by use of objectionable language, or by engaging in any way in discourteous conduct.

Read.
Delegate Stagg moved the adoption of Rule No. 31.
Seconded by Delegate Riecke.
And the Rule was adopted.

Rule No. 32. Questions of Order. Every question of order shall be decided by the chairman, without debate, subject to an appeal. The chairman may call for the sense of the Convention or any question of order, but when an appeal has been taken from the decision of the chair, any subsequent question of order which may arise from the decision of such appeal by the Convention shall be decided by the chairman without debate, and all appeals therefrom shall also be decided by the Convention without debate. Appeals from any ruling of the chairman shall be affirmatively put, and to overrule the chairman, shall require the same vote required to suspend the rules. (See Rule No. 85.)

Read.
Delegate Stagg moved the adoption of Rule 32.
Seconded by Delegate Brien.
And the Rule was adopted.

Rule No. 33. Answering Roll Calls. Every delegate must be at his desk when a roll call is being taken, and answers to roll calls from other locations on the Convention floor shall not be counted.

Read.
Delegate Stagg moved the adoption of Rule No. 33.
Seconded by Delegate O'Neill.
And the Rule was adopted.

Rule No. 34. Absence from Daily Session. A delegate may be excused from attendance at daily sessions only with leave from the chairman, and no delegate shall be compensated for a day on which he is absent from Convention sessions.

Read.
Delegate Stagg moved the adoption of Rule No. 34.
Seconded by Delegate Shannon.
And the Rule was adopted.

Rules No. 35. Vacancies. By a vote of at least two-thirds of the delegates to the Convention, the seat of a delegate may be declared vacant by the Convention if the delegate has been absent for at least fifteen unexcused, consecutive, opening roll calls. In the event of the death of, or written resignation by, a delegate, the seat may be immediately declared vacant by the Chairman. The Chairman shall notify the Governor of any vacancy.

Read.
Delegate Stagg moved the adoption of Rule No. 35.
Seconded by Delegate Velazquez.

Motion
Delegate Blair moved to defer action of Rule No. 35.
Seconded by Delegate Tapper.
And the motion was rejected.

The vote then recurred on Delegate Stagg's motion that Rule No. 35 be adopted.
And the Rule was adopted.

Rule No. 36. Voting in Person. No person other than the delegate himself will be permitted to vote or to answer any roll call or quorum call.

Read.
Mr. Stagg moved the adoption of Rule No. 36.
Mr. Munson seconded the motion.
And the Rule was adopted.

Rule No. 37. Proposal. Any original suggestion, proposition, or draft intended to become a part of the Constitution shall be referred to as a proposal. A proposal introduced by a delegate shall be designated as a delegate proposal, and a proposal submitted by a committee shall be designated as a committee proposal. An amendment shall be designated as an amendment.

Read.
Delegate Stagg moved the adoption of Rule No. 37.
Seconded by Delegate Kean.
And the Rule was adopted.

Rule No. 38. Resolutions. All matters of general convention business, other than proposals intended to become a part of the Constitution, shall be proposed through the instrument of a resolution, which instrument shall be so designated and may be introduced at any time.
A resolution introduced by a delegate shall be designated as a delegate resolution, and a resolution submitted by a committee shall be designated as a committee resolution. Resolutions shall be subject to the same rules of readings, committee referral and adoption as proposals. Resolutions shall contain a short title which shall be reflective of its purpose and substance, and shall comply with the form requirements of Rule No. 41.

Read.
Delegate Stagg moved the adoption of Rule No. 38.
Seconded by Delegate Wisham.
And the Rule was adopted.

Rule No. 39. Introduction. A proposal may be introduced by a delegate or delegates or by a committee on behalf of a majority of its membership.

Read.
Delegate Stagg moved the adoption of Rule No. 39.
Seconded by Delegate Ourso.
And the Rule was adopted.

Rule No. 40. Introduction of Committee Proposals. Committee proposals prepared and approved by the several committees of the Convention prior to July 5, 1973, shall constitute the first proposals to be introduced in the Convention and shall be introduced by the chairman of each committee or his designee.

Read.
Delegate Stagg moved the adoption of Rule No. 40.
Seconded by Delegate Velazquez.

Delegate Zervigon sent up floor a amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Zervigon to Committee Resolution No. 1 by Delegate Stagg et al.
Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 12, at the end of line 3, add the following: "These proposals as far as completed shall be mailed to all convention delegates on or before June 22, 1973."
Delegate Zervigon moved the adoption of the amendment.
Seconded by Delegate De Blieux.
And the amendment was adopted.

Delegate Nunez in the Chair
Delegate Flory sent up floor a amendment which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Resolution No. 1 by Delegate Stagg et al.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 12, line 3, after the word “degree” and before the "." insert:
“and shall bear the signatures of a majority of the members of the committee.”

Delegate Flory moved the adoption of the amendment.
Seconded by Delegate Thompson.

And the amendment was adopted.

Delegate Stagg moved the adoption of the Rule 40 as amended.

Seconded by Delegate Womack.

And the Rule, as amended, was adopted.

Chairman Henry in the Chair

Rule No. 41. Form of Proposals. Delegate proposals shall be distinguished from committee proposals and all proposals shall be separately numbered. All proposals shall be typed, double spaced on 8-1/2-by-14-inch paper in a type face with excellent reproduction qualities. A margin of one inch on the left and right side and at the top and bottom shall be preserved. The lines on each page shall be numbered consecutively from top to bottom at the left margin, and the left typing margin shall be two spaces to the right of the line numbers. Pages commencing with page two shall be numbered at the top center of the page. The original of all proposals shall remain in the custody of the Convention.

The secretary shall, as soon as any proposal is printed, place it on the desks of the delegates. The caption of each proposal shall be substantially in the following form:

Constitutional Convention of Louisiana of 1973

PROPOSAL

(Name of Delegate or Committee Chairman)

Each proposal shall also contain a short title stating concisely the general nature of its subject matter.

Read.

Delegate Stagg moved the adoption of Rule No. 41.

Seconded by Delegate Rayburn.

And the Rule was adopted.

Adjournment

The Chair then agreed to allow those delegates who wished to do so to present motions for adjournment so that the desires of the Convention on the matter of adjournment be made known.

Motions

Delegate Rayburn moved that the Convention do now adjourn until Monday, January 15, at 10:00 o'clock, A.M.
Seconded by Delegate Drew.

Delegate Brown moved that the Convention do now adjourn until Tuesday, January 16, at 12:00 noon.
Seconded by Delegate Lennox.

Delegate Brown withdrew his motion.

Delegate De Bieux moved that the Convention do now adjourn until Tuesday, January 16, at 1:30 o'clock, p.m.
Seconded by Delegate Brown.

Delegate Weiss moved that the Convention do now adjourn until Sunday, January 14 at 10:00 o'clock, a.m.
Seconded by Delegate Abraham.

Delegate Assoff moved that the Convention do now adjourn until Monday, January 16 at 7:30 o'clock, p.m.
Seconded by Delegate Tapper.

Delegate Shannon moved that the Convention do now adjourn until Tuesday, January 16, at 12:45 o'clock, p.m.
Seconded by Delegate A. Jackson.

Motion

Delegate LeBreton moved the previous question on the entire subject matter and the question was called without objection.

The Chair announced that the vote would then recur on the motions beginning with that motion which stated the longest period of adjournment and thus back to the shortest period.

The vote then recurred on Delegate De Bieux's motion to adjourn until Tuesday, January 16, at 1:30 o'clock p.m., which motion was adopted.

And the Chair declared the Convention adjourned until Tuesday, January 16, at 1:30 o'clock, p.m. at which time it would reconvene in Independence Hall in Baton Rouge, Louisiana.

Prepared in accordance with the transcripts and records of the Convention.

MOISE W. DENNERY,
Secretary.

DAVID R. POYNTER,
Chief Clerk.
The Chairman announced that there were 126 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Stovall.

**Pledge of Allegiance**

Delegate Cannon led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Delegate Toomy, the reading of the Journal was dispensed with.

The Chair announced that the Convention had under consideration that matter pending at the time of adjournment, which was Committee Resolution No. 1 by Delegate Stagg on behalf of the temporary Committee on Rules.

**Rule No. 42. Deadline on Proposals.** No proposals may be introduced by delegates after the first sixty days following July 5, 1973; committee proposals, however, may be introduced at any time, provided rules governing procedures for adoption are followed. Amendments to proposals may be offered any time.

Read.

Delegate Stagg moved the adoption of Rule No. 42.

Seconded by Delegate Velazquez.

Delegate Avant sent up the floor amendments which were read as follows:

**Floor Amendments**

Amendments proposed by Delegate Avant to Committee Resolution No. 1 by Delegate Stagg et al.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On Page 12, line 29, following the word “delegates” insert

**AMENDMENT No. 2—**

On page 12, line 30, delete the semicolon (;) and in lieu thereof insert a period (.) and delete the remainder of line 30.

**AMENDMENT No. 3—**

On page 12 delete line 31.

**AMENDMENT No. 4—**

On page 12, line 32, delete the language “for adoption are followed.”

Delegate Avant moved the adoption of the amendments.

Seconded by Delegate Roy.

And the amendments were adopted upon a division of the Convention by a vote of 60 yeas and 50 nays.

Delegate Stagg moved the adoption of Rule No. 42, as amended.

Seconded by Delegate Ginn.

And the Rule, as amended, was adopted.

**Rule No. 43. Printing.** Each proposal introduced shall be immediately printed and distributed to the delegates and shall be available to the general public and other interested parties. No final action may be taken on any proposals until printed copies have been distributed to the delegates for at least forty-eight hours.

Read.

Delegate Stagg moved the adoption of Rule No. 43.

Seconded by Delegate Badeaux.

And the Rule was adopted.
4th Days Proceedings—January 16, 1973

Rule No. 44. Order of Processing. The order of Convention procedure in processing each proposal shall be as follows:

A. Introduction, which shall constitute the first reading.
B. Committee referrals: Committee proposals shall be referred to the Committee offering the proposal. Delegate proposals shall be referred by the Chairman of the Convention to the appropriate committee based on the subject matter of the proposal. The Chairman shall announce his referral to the delegates and if no objection is raised, the proposal shall be referred to the Committee designated by the Chairman; if objection is raised, the referral shall be made by the Convention. Referrals shall be made the day following the meeting. Committee referral shall commence the second reading.
C. Committee reports.
D. Consideration of and voting on the substantive committee report by delegates in general assembly.
E. If recommitted, reconsideration by substantive committee of the whole.
F. Reference to committee on style and drafting.
G. Engrossment, which shall complete the second reading.
H. Third reading and final passage.
I. Enrollment.
J. Referral to Committee on Style and Drafting.
K. Convention approval of final styling.
L. Final enrollment.

Each of the three required readings shall occur on three different days.

Read.
Delegate Stagg moved the adoption of Rule No. 44.
Seconded by Delegate Brien.
Delegate Stagg sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg et al.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 13, line 26, change “committee on style and drafting” to “Committee on Style and Drafting”

AMENDMENT No. 2—
On page 13, lines 14 and 17, change “Chairman” to “chairman”

Delegate Stagg moved the adoption of the amendments.
Seconded by Delegate Brien.
And the amendments were adopted.
Delegate Stagg moved the adoption of Rule No. 44, as amended.
Seconded by Delegate Brien.
And the Rule, as amended, was adopted.

Rule No. 45. Order of Proposals. When a proposal is up for third reading and final passage, it shall be read, debated, and acted upon separately by sections. Each section shall be considered a separate question for the purpose of “limits on debate” provided for in Rule No. 30.

Read.
Delegate Stagg moved the adoption of Rule No. 45.
Seconded by Delegate Silverberg.
And the Rule was adopted.

Rule No. 46. Amendments. Amendments shall be submitted in writing, and a copy of every such amendment shall be distributed to each delegate before a vote occurs thereon.

Read.
Delegate Stagg moved the adoption of Rule No. 46.
Seconded by Delegate Leithman.
And the Rule was adopted.

Rule No. 47. Styling and Drafting. When all proposals have been processed, the entirety of those adopted shall be sent to the Committee on Style and Drafting for orderly arrangement in the new proposed Constitution, to the end that the document shall be properly coordinated and uniform in style, and such final draft must be approved by a majority of the delegates to the Convention.

Read.
Delegate Stagg moved the adoption of Rule No. 47.
Seconded by Delegate Shannon.
And the Rule was adopted.

Rule No. 48. Distribution. For the purpose of these rules “distribution” shall mean that a copy of any document is placed on the desk or chair of each delegate.

Read.
Delegate Stagg moved the adoption of Rule No. 48.
Seconded by Delegate Riecke.
And the Rule was adopted.

Rule No. 49. Substantive Committees.
The following substantive committees are hereby created:
1. Committee on Bill of Rights and Elections, which shall consider the Preamble, Bill of Rights, Human Rights, Obligations of Citizenship, distribution of powers, suffrage and elections, the amendment process, and future constitutional conventions;
2. Committee on Executive Department, which shall consider the offices comprising the executive department, reorganization, term of the Governor and other elected officials, and impeachment;
3. Committee on Legislative Powers and Functions, which shall consider the Legislative Department, apportionment, qualifications, regular and special sessions;
4. Committee on Judiciary, which shall consider the judiciary, tenure and selection of judges, the Department of Justice, district attorneys, sheriffs, clerks of court and coroners;
5. Committee on Local and Parochial Government, which shall consider local and parochial government, home rule, special districts, consolidation of governments and intergovernmental cooperation;
6. Committee on Revenue, Finance and Taxation, which shall consider revenue, finance, taxation, assessors and assessment, exemptions, state debts and management of state funds;
7. Committee on Education and Welfare, which shall consider public education, Board of Regents for Higher Education, welfare, consumer affairs, civil service, labor and industry; and
8. Committee on Natural Resources and Environment, which shall consider public lands, minerals, water resources, wildlife, environmental concerns, recreation and agriculture.
Other provisions that may not be covered by the areas of responsibility shown above may be assigned by the Coordinating Committee to the appropriate substantive committee.

Read.
Delegate Stagg moved the adoption of Rule No. 49.
Seconded by Delegate A. Landry.
Delegate Silverberg sent up a floor amendment which was read as follows: 
Amendment proposed by Delegate Silverberg to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 15, lines 15 and 16, delete the words “Board of Regents for Higher Education,”
Delegate Silverberg moved the adoption of the amendment.
Seconded by Delegate Tobias.
And the amendment was adopted.
Delegate Dennery sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Dennery to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 14, strike out lines 40 through 33 in their entirety and insert in lieu thereof the following:
“2. Committee on Executive Department, which shall consider the offices comprising the executive department reorganization, state civil service, term of the Governor and other elected officials of the executive department, and impeachment;”

AMENDMENT No. 2—
On page 15, strike out lines 6 through 9 in their entirety and insert in lieu thereof the following:
“5. Committee on Local and Parochial Government, which shall consider local and parochial government, home rule, special districts, consolidation of governments, intergovernmental cooperation and parochial and municipal civil service.”

AMENDMENT No. 3—
On page 16, line 16, strike out the words “civil service”
Delegate Dennery moved the adoption of the amendments.
Seconded by Delegate Roy.
And the amendments were rejected.
Delegate Guarisco sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Guarisco to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 14, line 27, immediately following “powers,” insert the following:
“concept and principles of government,”
Delegate Guarisco moved the adoption of the amendment.
Seconded by Delegate Winchester.
And the amendments were rejected.
Delegate Dennery sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Resolution No. 1 by Delegate Stagg.

Amend the Printed Rule as follows:

AMENDMENT No. 1—
On page 15, delete lines 2 thru 5 and insert in lieu the following:
Delegate Tapper moved the adoption of the amendments. Seconded by Delegate Nunez.
And the amendments were rejected.
Delegate Schmitt sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Schmitt to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**
On page 14, line 26, immediately after the word "consider" and before the word "the" insert the following: "all areas affecting the Bill of Rights and elections, and shall consider, but is not limited to the following specific areas:"

Delegate Schmitt moved the adoption of the amendment.
Seconded by Delegate Jenkins.
And the amendment was rejected.
Delegate Kilbourne sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kilbourne to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**
On page 15, line 4, immediately after "clerks of court" insert the following: ":; and justices of the peace"

Delegate Kilbourne moved the adoption of the amendment.
Seconded by Delegate Silverberg.
And the amendment was rejected.
Delegate Fayard sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Fayard to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**
On page 15, line 15, immediately after the word "consider" and before the word "education" delete the word "public"

Delegate Fayard moved the adoption of the amendment.
Seconded by Delegate DeBlieux.
And the amendment was rejected.
Delegate Lennox sent up floor amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Lennox to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**
On page 15, line 16, after the comma delete the word "labor" and on Page 15, line 17, delete the words "and industry"

**AMENDMENT No. 2—**
On Page 14, line 29, delete the semi-colon and add the following "labor and industry;"

Delegate Lennox moved the adoption of the amendments.
Seconded by Delegate Bollinger.
And the amendments were rejected.
Delegate Sutherland sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sutherland to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**
On page 15, between lines 20 and 21 insert the following language: "Notwithstanding the above, the committees may consider any related matters without limitation."

Delegate Sutherland moved the adoption of the amendment.
Seconded by Delegate Tapper.
And the amendment was rejected.
Delegate Nunez sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Nunez to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**
On page 15, line 22, immediately after the words "may be" strike out the word "assigned" and insert in lieu thereof "recommended for consideration"

Delegate Nunez moved the adoption of the amendment.
Seconded by Delegate Bel.
And the amendment was rejected.
Delegate Tapper sent up floor amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Tapper to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**
On page 14, at the end of line 29, delete the semi-colon ";" and add the following: "; and any other subject deemed appropriate by said committee under the title above."

**AMENDMENT No. 2—**
On page 14, at the end of line 33, delete the semi-colon ";" and add the following: "; and any other subject deemed appropriate by said committee under the title above."

**AMENDMENT No. 3—**
On page 15, at the end of line 1, delete the semi-colon ";" and add the following: "; and any other subject deemed appropriate by said committee under the title above."

**AMENDMENT No. 4—**
On page 15, at the end of line 5, delete the semi-colon ";" and add the following: "; and any other subject deemed appropriate by said committee under the title above."

**AMENDMENT No. 5—**
On page 15, at the end of line 9, delete the semi-colon ";" and add the following: "; and any other subject deemed appropriate by said committee under the title above."
AMENDMENT No. 6—
On page 13, at the end of line 13, delete the semicolon “;” and add the following:
“and any other subject deemed appropriate by said committee under the title above.”

AMENDMENT No. 7—
On page 13, at the end of line 17, delete the semicolon “;” and add the following:
“and any other subject deemed appropriate by said committee under the title above.”

AMENDMENT No. 8—
On page 13, at the end of line 23, delete the period “.” and add the following:
“and any other subject deemed appropriate by said committee under the title above.”

Delegate Tapper moved the adoption of the amendments
Seconded by Delegate De Blieux.

And the amendments were rejected.

Delegate Stagg sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Resolution No. 1 by Mr. Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 14, at the beginning of line 24, immediately before “The” insert “A.”

AMENDMENT No. 2—
On page 15, at the beginning of line 21, immediately before “Other” insert “B.”

Delegate Stagg moved the adoption of the amendments.
Seconded by Delegate Tapper.

And the amendments were adopted.

Delegate Stagg then moved the adoption of Rule No. 49, as amended.
Seconded by Delegate Kean.

And the Rule, as amended, was adopted.

Rule No. 50. Procedural Committees.
The following procedural committees are hereby created:
1. Committee on Rules, Credentials, Ethics and Schedules, which shall consider rules, credentials of delegates, questions of ethics, press and employees, schedules, calendar, agenda, and shall consider all questions on any procedural disputes referred to it by the Chairman or by the Convention;
2. Committee on Style and Drafting, which shall have control over literary style, consistency, arrangement and numbering. The committee shall have authority to rephrase or to regroup proposed language, but shall have no authority to change the sense or purpose of any proposal referred to it; and
3. Committee on Legislative Liaison and Transitional Measures, which shall maintain liaison with the legislative branch and the Louisiana Law Institute and provide for coordination of the transition of subject matter from the Constitution to the appropriate statute law.
4. Committee on Public Information, which shall consider and implement measures to inform the people on the actions, procedures, recommendations and activities of the Convention. It shall plan and implement the report to be given to the voters of Louisiana on the result of the Convention’s work, and shall direct the effort to obtain approval of the new Constitution and the form and manner of presentation.

Read.
AMENDMENT No. 1—
On page 15, line 28, immediately after the “ethics,” and before the word “and” delete the word “press” and insert in lieu thereof the word “news media.”

Delegate Colton moved the adoption of the amendment.
Seconded by Delegate Schmitt.

And the amendment was adopted.

Delegate Stagg then moved the adoption of Rule No. 50, as amended.
Seconded by Delegate Newton.

And the Rule, as amended, was adopted.

Rule No. 51. Appointment of Committees.
The selection of delegates to serve on the substantive and procedural committees shall be determined as follows:

Within twenty-four hours after the adoption of these rules by the Convention, each delegate shall submit in writing to the Convention the committee or committees in order of preference to which he or she desires to be appointed.

A Committee on Committees shall select from among said delegates the delegates to serve on each committee after giving due consideration to the preference of each delegate and based on the qualifications, experience and residence of each delegate so as to provide as nearly as possible a fair and balanced representation on each committee of this Convention.

Read.

Delegate Kean moved the adoption of Rule No. 51.

Seconded by Delegate Stagg.

Delegate Zervigon sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Zervigon to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 17, line 1 immediately after the word “separate” strike out the word “caucuses” and insert in lieu thereof the word “caucases.”

AMENDMENT No. 2—
On page 17, between lines 1 and 2 add the following:
“No member of the Committee on Committees shall be elected a chairman or a vice-chairman of a substantive or procedural committee.”

Delegate Conino moved the adoption of the amendments.
Seconded by Delegate De Blieux.

ROLL CALL
Th roll was called with the following results:

YEAS

Delegates—
Abraham Edwards Rachel Robinson
Alexander Fayard Rieke Schmitt
Arnette Flory Silverberg
Asseff Fontenot Singletary
Avant Grier
Badeaux Guirisco
Bergeron Hardee
Blair Hayes
Bollinger Jackson, J.
Brien Kean
Brown Kilpatrick
Burns Lambert
Burson Landrum
Champagne Landry, A.
Chenard Landry, E. J.
Conino LeBlanc
Conroy Leithman
De Blieux Miller
Derbes Newton
Deshates O’Neill
Dunlap Perkins

Total:—64.

NAYS

Delegates—
Anzalone Jackson, A.
Bel Jenkins Rayburn
Bennet Juneau Reeves
Carmouche Kelly Roemer
Casey Kilbourne Segura
Chatelet Kibourne Shannon
Corne Lanier
Coven LeBreton
Dennis Leigh
Dennery Lennox
Drew Lowe
Duval McDaniel
Edkins Maubertet
Elkins Mire
Fowler Munson
Fulco Nunez
Gauthier Orso
Giarrusso Perez
Ginn Planchar
Hernandez Roy

Total:—37.

ABSENT

Delegates—
Mr. Chairman Colten
Aertker Guidry
Alario Haynes
Armmentor Jack

Total:—11.

And the amendments were adopted.
Delegate Kean moved the adoption of Rule No. 52, as amended.

Seconded by Delegate Stagg.

And the Rule, as amended, was adopted.

**Rule No. 53. Service on Committees.**

Each substantive and procedural committee shall be composed of at least ten delegates and no more than twenty. Each delegate except the Convention Chairman shall serve on at least one and only one substantive committee. Each committee shall elect a chairman, vice-chairman, and such other officers as the committee deems necessary.

The Chairman of the Convention shall be ex officio a member of all substantive committees, but shall have no vote and shall not be counted for the purpose of obtaining a quorum.

Read.

Delegate Kean moved the adoption of Rule No. 53.

Seconded by Delegate Duval.

Delegate Brown sent up floor amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Brown to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 6 after the words “least one” delete the words “and only one”.

**AMENDMENT No. 2—**

On page 17, line 8 after “necessary,” add the following: “Not less than two delegates from each congressional district shall be appointed to each substantive committee.”

On motion of Delegate Thompson, the amendments were withdrawn.

Delegate Thompson sent up floor amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Thompson to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 6 after the words “least one” delete the words “and only one”.

**AMENDMENT No. 2—**

On page 17, line 8 after “necessary,” add the following: “Not less than two delegates from each congressional district may be appointed to each substantive committee.”

On motion of Delegate Thompson the amendments were withdrawn.

Delegate Stinson moved to reconsider the vote by which Amendment No. 1 proposed by Delegate Brown and adopted by the Convention on January 16, 1973, was adopted, which motion was seconded by Delegate Stagg.

And the Convention refused to reconsider the vote by which Amendment No. 1 by Delegate Brown was adopted by the Convention.

**Adjournment**

Delegate Stovall moved that the Convention do now adjourn until Wednesday, January 17, 1973, at 9:30 o'clock a.m.

Seconded by Delegate Leithman.

And the motion was adopted.

And Chairman Henry declared the Convention adjourned until Wednesday, January 17, 1973 at 9:30 o'clock, a.m.

Prepared in accordance with the transcript and records of the Convention.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

FIFTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 1:30 o'clock p.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman Fowler Pianchard
Abraham Fulco Rechal
Aerier Gauthier Reyburn
Alario Giarrusso Reeves
Alexander Gunn Riecke
Anzalone Gravel Robinson
Arnette Grier Roemer
Assott Guarisco Schmitt
Avant Hardee Segura
Badeaux Hayes Silverberg
Bel Haynes Singleterary
Bergeron Jack Slay
Blair Jackson, A. Smith
Bollinger Jackson, J. Soniat
Brown Jenkins Stagg
Burns Keen Stephenson
Burson Kelly Stinson
Cannon Kilbourne Stovall
Carmouche Kilps/trick Sutherland
Casey Lambert Tapper
Chamagne Landrum Tate
Chatelain Landry, A. Taylor
Chehardy Landry, E. J. Thistledithwaite
Colten Lanier Thompson
Conin LeBleu Tobias
Conroy LeBret Dora
Corne Leigh Toca
Cowen Leithman Tomiy
D'Gerolamo Lennox Triche
De Blieux Lowe Ullo
Denny McDaniel Velazquez
Dennis Martin Vescich
Derbes Maubreter Vick
Deshotels Miller Wall
Drew Mire Warren
Dunlap Munson Weiss
Duval Newton Willis
Edwards Nunez Winchester
Elkins O'Neill Wisham
Fayard Orso Womack
Flory Perez Zervignon
Fontenot Perkins

Total—127.

ABSENT

Delegates—
Amentor HernandeS Sandoz
Guidry Roy

Total—5.

The Chairman announced that there were 127 members
present and a quorum.

Prayer

Prayer was offered by Delegate Burns.

Pledge of Allegiance

Delegate Alario led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Abraham, the reading of the
Journal was dispensed with.

Oath of Office

The following oath of office was administered to Dele-
geate Wellborn Jack by the Hon. David R. Poynter, Clerk
of the House of Representatives and Chief Clerk of the
Convention:

**

“I (Wellborn Jack) do solemnly swear that I will support
the Constitution and laws of the United States and the
Constitution and laws of this State, and I will faithfully
and impartially discharge and perform all the duties incumbent
upon me as a delegate to the Constitutional Convention,
according to the best of my ability and understanding.
So help me God.”

And the Chair declared that the Convention had under
consideration the time of the adjournment Rule No. 53 of
Committee Resolution No. 1, by Delegate Stagg on behalf of
the Temporary Committee on Rules.

Rule No. 53. Service on Committees.

Each substantive and procedural committee shall be composed
of at least ten delegates and no more than twenty.
Each delegate except the Convention Chairman shall serve on
at least one and only one substantive committee. Each
committee shall select a chairman, vice-chairman, and such
other officers as the committee deems necessary.

The Chairman of the Convention shall be ex officio a mem-
er of all substantive committees, but shall have no vote and
shall not be counted for the purpose of obtaining a quorum.

Read.

Delegate Kean moved the adoption of Rule No. 53.

Seconded by Delegate Bollinger.

Delegate Avant sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Avant to Committee
Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 17, line 6, delete the words “only one” and in lieu
thereof substitute “not more than two”

AMENDMENT No. 2—
On page 17, line 6, delete the word “committee” and in
lieu thereof substitute the word “committees”

Delegate Avant moved the adoption of the amendments.

Seconded by Delegate Leigh.

And the amendment was rejected.

Delegate De Blieux sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate De Blieux to Committee
Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 17, line 11, after the word “vote” and before the
word “and” insert the word “therein”

AMENDMENT No. 2—
On page 17, line 12, after the word “quorum” and before the
period “,” insert the word “thereof”

37
Delegate De Blieux moved the adoption of the amendments.
Seconded by Delegate Stagg.

And the amendments were adopted.

Delegate Roemer sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Roemer to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 6, delete the period “.” and insert in lieu thereof the following:

"and may serve on no more than one procedural committee."

Delegate Roemer moved the adoption of the amendment.
Seconded by Delegate Silverberg.
And the amendment was adopted.

Delegate Burson sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, between lines 8 and 9 insert the following:

"The Chairman of the Convention shall designate the date and place of the original meeting of each committee at which committee meeting officers are to be elected and each committee member is to be notified in person or by certified mail of such designation."

Delegate Burson moved the adoption of the amendment.
Seconded by Delegate Stagg.
And the amendment was adopted.

Delegate Conroy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Conroy to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

Rule 53—On page 17, line 8, after the word “necessary,” add the following:

"No delegate serving on the Executive Committee shall serve as Chairman or Vice Chairman of any substantive committee."

Delegate Conroy moved the adoption of the amendment.
Seconded by Delegate Gauthier.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Aertker
Alexander
Badeaux
Bel
Bergeron

Dennis
Derbes
Deshotes
Drew
Dunlap
Duvall
Elkins
Fayard
Fontenot
Gauthier
Grier
Guarisco
Guidry
Hayes
Hernandez
Jackson, J.
Jenkins
Juneau
Kean
Kelly

Total—75.

Dennery
Dennis
De Blieux

Dabonne
Duson
Delcourt
LaPorte

Kilbourne
Lamort
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlieu
Leithman
Lennox
Lowe
MCDaniel
Nunez
O'Neill
Perez
Perkins
Rachal
Reeves
Rieke
Roemer
Schmitt

Shannon
Silverberg
Singletary
Smith
Soniat
Stinson
Stovall
Sutherland
Tapper
Taylor
Thompson
Tobias
Toomy
Ufio
Velasquez
Vesich
Warren
Weiss
Wisman
Zervigon

**NAYS**

Alario
Anzalone
Arnette
Asseff
Avant
Blair
Bourson
Cannon
Carmouche
Casey
Chehardy
Corne
Cowan
D’Gerolamo

DeBlieux

Flory
Fulco
Giarrusso
Ginn
Gravel
Hardee
Haynes
Jack
Jackson, A.
Kilpatrick
LeBreton
Leigh
Martin
Mauberret
Miller
Mire

Monson
Newton
Ours
Panchard
Randall
Robinson
Segura
Slay
Stagg
Stephenson
Thistlethwaite
Toca
Triche
Vick
Wichemer
Womack

**ABSENT**

Mr. Chairman—Mr. Chairman—Mr. Chairman

De Blieux

Roy
Sandoz
Tate

Fowler

Total—8.

De Blieux

And the amendment was adopted.

Delegate De Blieux sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 6, after the words “least one” strike out the words “and only one substantive committee,” and substitute the following:

"substantive committee but not more than two committees of any kind."

Delegate De Blieux moved the adoption of the amendment.
Seconded from the floor.
And the amendment was rejected.

**Delegate Leithman in the Chair**

Delegate Kean then moved the adoption of Rule No. 53, as amended.
Seconded by Delegate Stagg.
And the Rule, as amended, was adopted.

**Chairman Henry in the Chair**

Rule No. 54, Coordinating Committee. The Coordinating Committee shall be composed of the Chairman and First
Vice-Chairman of the Convention, and the chairman of the respective substantive committees. The Coordinating Committee shall consider any issues regarding omissions, overlap and/or conflict which might arise concerning the jurisdiction of any substantive committee or any subject matter; call joint meetings of any substantive committees for the purpose of discussing any omissions, overlap and/or conflict which might arise and make recommendations to the respective substantive committees as to possible resolution thereof.

Read.

Delegate Kean moved the adoption of Rule No. 54.
Seconded by Delegate Singletary.

Delegate Juneau sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Juneau to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 17 after the word "regarding" and before the word "overlap" delete the word and punctuation "omissions."

**AMENDMENT No. 2—**

On page 17, line 21 before the word "overlap" and after the word "any" delete the word and punctuation "omissions."

Delegate Juneau moved the adoption of the amendments.
Seconded by Delegate A. Landry.

And the amendments were adopted.

Delegate Zervigon sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, beginning with line 13 and ending with line 16, delete the first sentence and substitute the following: "The Coordinating Committee shall be composed of the Chairman of the Convention, or in his absence a vice-chairman designated by him and the Chairmen and Vice-Chairmen of all substantive committees."

Delegate Zervigon moved the adoption of the amendment.
Seconded by Delegate Shannon.

And the amendment was rejected.

Delegate Shannon sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Shannon to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 15 immediately after the word "chairmen" and before the words "of the" insert the words "and vice-"

Delegate Shannon moved the adoption of the amendment.
Seconded by Delegate Alexander.

And the amendment was rejected.

Delegate Conroy sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Conroy to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, at the end of line 23, delete the period ".", and insert the following:

"and shall assure that each provision of the Constitution of 1921, as amended, shall have been considered by at least one substantive committee."

Delegate Conroy moved the adoption of the amendment.
Seconded by Delegate D'Gerolamo.

And the amendment was adopted.

Delegate Bergeron sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bergeron to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 19, immediately after the word "matter" and before the word "call", insert the following: "pertaining to the substantive committees."

Delegate Bergeron moved the adoption of the amendment.
Seconded by Delegate Schmitt.

And the amendment was adopted.

Delegate Kean then moved the adoption of Rule No. 54, as adopted.
Seconded by Delegate Stagg.

And the Rule, as amended, was adopted.

**Rule No. 55. Other Committees.** The Convention shall have authority to create other committees, including special advisory committees, as it deems necessary, and all substantive committees may create such sub-committees as each deems necessary, provided that all such sub-committees shall be created only by a majority vote of the creating body.

Read.

Delegate Kean moved the adoption of Rule No. 55.
Seconded by Delegate Newton.

Delegate Dennery sent up floor amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Dennery to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 17, line 26, delete the part word "sub-

**AMENDMENT No. 2—**

On page 17, line 27, delete the part word "stative"

Delegate Dennery moved the adoption of the amendments.
Seconded by Delegate Tobias.

On motion of Delegate Dennery the amendments were withdrawn.

Delegate Jackson sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate J. Jackson to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 17, line 24 after the words “The Convention” and before the word “shall” insert the following: “; by a majority vote of the delegates present and voting.”

Delegate Jackson moved the adoption of the amendment.
Seconded by Delegate Gravel.
And the amendment was adopted.

Delegates Flory and Avant sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Flory and Avant to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 17, line 27, immediately after the portion of the word “substantive” and before the word “committees” insert the words: “and procedural.”

Delegate Flory moved the adoption of the amendment.
Seconded by Delegate Silverberg.
And the amendment was adopted.

Delegate Kean then moved the adoption of Rule No. 55, as amended.
Seconded by Delegate Leithman.
And the Rule, as amended, was adopted.

Rule No. 56. Proposals. The various articles of the proposed draft of a Constitution shall be prepared under the direction and supervision of the respective substantive committees. The research staff shall be assigned to the respective committees by the Chairman of the Convention after consultation with the chairman of the committee to which the staff will be assigned.

Read.
Delegate Kean moved the adoption of Rule No. 56.
Seconded by Delegate Newton.
And the Rule was adopted.

Rule No. 57. Quorum and Rules of Committees. A majority of any committee constitutes a quorum, but the question of the presence of a quorum of a committee may not be raised on the consideration of a proposal before the Convention unless the question has been raised before the committee. The rules of the Convention shall be observed in all committees as far as may be applicable, and, if applicable, may not be suspended.

Read.
Delegate Stagg moved the adoption of Rule No. 57.
Seconded by Delegate Singletary.
Delegate Stagg sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kean to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 18, line 2, immediately after “Committee” and before the word “Hearings” insert the words “Meetings and”

Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Kean.
And the amendment was adopted.

Delegate Stagg sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 18, line 10, after the period, add the following: Any committee may adopt its own rules of procedure. No committee rule shall conflict with the rules of the Convention, except that any committee may establish a different rule with respect to limits on debate.

Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Perkins.
And the amendment was adopted.

Delegate Flory sent up floor amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Flory to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

AMENDMENT No. 1—
On page 18, line 4, insert a period “;” after the word “quorum” and strike out the remainder of the line.

AMENDMENT No. 2—
On page 18, strike out lines 5 and 6 in their entirety.

AMENDMENT No. 3—
On page 18, line 17, strike out the words “the question has been raised before the Committee.”

Delegate Flory moved the adoption of the amendments.
Seconded by Delegate Avant.
And the amendments were adopted.

Delegate Stagg then moved the adoption of Rule No. 57, as amended.
Seconded by Delegate Kean.
And the Rule, as amended, was adopted.

Rule No. 58. A. Public Hearings, Records. No committee shall sit during sessions of the Convention or of the Committee of the Whole without special leave of a majority of Convention delegates present and voting. All committee hearings shall be publicized, shall be open to the public, and may be recorded verbatim, including the testimony of those wishing to be heard. Minutes of the committee meetings shall be recorded. All committees shall, and are hereby authorized to, hold public hearings either as a committee or through a designated sub-committee, said hearings to be conducted at such localities throughout the State as the committee may designate.

B. Appearance of Delegates or Witnesses. Any person wishing to be heard before a committee shall have a right to be heard subject to the rules of that committee.

C. Committees and sub-committees may take testimony under oath or affirmation, and the chairman of any committee or sub-committee is authorized to administer the oath.

Read.
Delegate Stagg moved the adoption of Rule No. 58.
Seconded by Delegate Weiss.
Delegate Stagg sent up a floor amendment which was read as follows:
FLOOR AMENDMENT
Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 18, line 29, after "C." insert "Testimony."
Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Rayburn.
And the amendment was adopted.
Delegate Kean sent up a floor amendment which was read as follows:
FLOOR AMENDMENT
Amendment proposed by Delegate Kean to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 18, line 15, delete the word "hearing" and insert the words "meetings and hearings."
Delegate Kean moved the adoption of the amendment.
Seconded by Delegate Velazquez.
And the amendment was adopted.
Delegate Zervigon sent up a floor amendment which was read as follows:
FLOOR AMENDMENT
Amendment proposed by Delegate Zervigon to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 18, after line 28 and before line 29, add the following:
"D. Any person not a delegate appearing before a committee or sub-committee shall identify himself by name and address and shall state whether or not he is representing any other person or interest."
Delegate Zervigon moved the adoption of the amendment.
Seconded by Delegate Hernandez.
And the amendment was adopted.
Delegate Champagne sent up floor amendments which were read as follows:
FLOOR AMENDMENTS
Amendments proposed by Delegate Champagne to Committee Resolution No. 1 by Delegate Stagg.
Amend the original Resolution as follows:
AMENDMENT No. 1—
On page 18, line 18, immediately after the period "." and before the word "All" insert the following:
"It shall be the responsibility of these committees to translate to the English language all expressions of fact made other than in the English language at no additional cost to the Convention."
AMENDMENT No. 2—
On page 18, line 22, at the end of the line add the following:
"This shall not be interpreted as to prevent a Delegate from meeting with his district at no additional cost to the Convention for the expressed purpose of getting and expressing views or opinions of any portion of the Constitution."
Delegate Champagne moved the adoption of the amendment.
Seconded by Delegate Anzalone.
And the amendments were rejected.
Delegate Schmitt sent up a floor amendment which was read as follows:
FLOOR AMENDMENT
Amendment proposed by Delegate Schmitt to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 18, line 16 delete the words "may be recorded verbatim" and insert in lieu thereof the following: "shall keep a sound recording and may keep a verbatim written record."
Delegate Schmitt moved the adoption of the amendment.
Seconded by Delegate Bergeron.
And the amendment was rejected.
Delegate Arnette sent up a floor amendment which was read as follows:
FLOOR AMENDMENT
Amendment proposed by Delegate Arnette to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 18, line 17, after the word "heard." and before the word "minutes" insert the following: "Any one wishing to be heard in a language other than the English language shall supply his own interpreter."
Delegate Arnette moved the adoption of the amendment.
Seconded by Delegate Weiss.
And the amendment was rejected.
Delegate Roy sent up a floor amendment which was read as follows:
FLOOR AMENDMENT
Amendment proposed by Delegate Roy to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 18, line 17, immediately after the word "heard." and before the word "minutes" insert the following: "Provided, however, that any delegate shall have the right to have his views recorded."
Delegate Roy moved the adoption of the amendment.
Seconded by Delegate Badreau.
And the amendment was rejected.
Delegate Stagg then moved the adoption of Rule No. 58, as amended.
Seconded by Delegate Kean.
And the Rule, as amended, was adopted.

Rule No. 59. Calling of Committees and Agenda. Each committee shall meet at the call of its chairman, who shall also set its agenda. One-third of the members of a committee may in writing request the chairman to call a meeting of that committee, and, upon his failure to do so within forty-eight hours not including Saturday, Sundays, and legal holidays, a majority of the members of the committee shall have the right to call a meeting of the committee and set its agenda and place of meeting under the appropriate notice requirements. Each proposal referred to a committee must appear on the committee's agenda at least once.

Read.
Delegate Stagg moved the adoption of Rule No. 59.
Seconded by Delegate Winchester.
Delegate Avant sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Resolution No. 1 by Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 18, line 31, following the word “agendas” delete the period “.” and insert the following: 

“...subject to the approval of a majority of the committee.”

Delegate Avant moved the adoption of the amendment.

Seconded by Delegate Greer.

And the amendment was adopted upon a division of the Convention by a vote of 64 yea’s and 44 nay’s.

Delegate Stagg then moved the adoption of Rule No. 59, as amended.

Seconded by Delegate Winchester.

And the Rule, as amended, was adopted.

**Rule No. 60. Reports.** All proposals submitted to a substantive committee shall be reported from that committee indicating committee action provided that a majority of the committee membership present and voting must approve the committee report; a minority report may also be made by any member of a substantive committee.

Read.

Delegate Stagg moved the adoption of Rule No. 60.

Seconded by Delegate E. J. Landry.

Delegate Flory sent up the following amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendment proposed by Delegate Flory to Committee Resolution No. 1 By Delegate Stagg.

Amend the original Resolution as follows:

**AMENDMENT No. 1—**

On page 19, line 6, after the word “substantive”, add the words “or procedural”.

**AMENDMENT No. 2—**

On page 19, between lines 10 and 11, add the following:

“No resolution, petition, memorial or proposal shall be reported from a committee unless a public hearing on the measure first has been held by the committee. No committee shall report a measure to the Convention pursuant to a procedure, referred to as a “round robin.””

Delegate Flory moved the adoption of the amendments.

Seconded by Delegate Kean.

And the amendments were adopted.

Delegate Stagg then moved the adoption of Rule No. 60, as amended.

Seconded by Delegate E. J. Landry.

And the Rule, as amended, was adopted.

**Rule No. 61. Form of Reports.** The chairman of a substantive committee shall write after each proposal or resolution only the words “reported favorably,” “reported unfavorably,” “reported with amendments,” “reported without action,” “reported without action with recommendation that it be recommitted to the Committee on.......” “reported by substitute” as the case may be, which report shall be signed by the chairman. Should amendments be proposed, such amendment or amendments shall be written on a separate paper, original and two copies, numbered consecutively, and attached to the proposal or resolution, and under no circumstances shall words or sentences be interlined on the body of the measure, and the same be marked while in possession of committees.

Read.

Delegate Stagg moved the adoption of Rule No. 61.

Seconded by Delegate Kean.

And the Rule was adopted.

**Rule No. 62. Notice of Committee Meetings.** A. No committee meetings may be held unless notice thereof is given in the following manner: The Chairman of the committee or the members of the committee calling the meeting shall notify the Secretary of the Convention of the time, date, and place of the committee meeting. Within twenty-four hours thereafter the Secretary shall mail notices of such meeting to all members of the committee, all persons who have filed written requests for notice with the Secretary, and to all members of the Convention who have introduced proposals on the subject matter to be considered. The committee hearing shall not be scheduled less than four days from the date of notice to the Secretary. This rule shall apply only when the Convention is not in session.

B. Committee and sub-committee meetings while the Convention is in session may be called by the chairman or by a majority of the Convention members upon twenty-four hour notice given by announcement from the floor of the Convention and by posting the notice thereof on a designated bulletin board in the vicinity of the floor of the Convention at least twenty-four hours before such meeting.

Read.

Delegate Stagg moved the adoption of Rule No. 62.

Seconded by Delegate Conino.

Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 20, line 4, immediately after the word “meetings” and before the word “while” insert the word “called”

**AMENDMENT No. 2—**

On page 20, line 6, immediately after the words “of the” and before the word “members” strike out the words “Convention” and insert in lieu thereof “committee”

Delegate moved the adoption of the amendments.

Seconded by Delegate Chatelain.

And the amendments were adopted.

Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 19, line 28, immediately after the word “or” and before the words “the members” insert the words “one of”

**AMENDMENT No. 2—**

On page 19, line 28, immediately after the word “meeting” and before the word “shall” insert the following: “under the authority of Rule 59”

42
Delegate Stagg moved the adoption of the amendments. Seconded by Delegate Carmouche.

And the amendments were adopted.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 19, line 33 after the comma "", following the word "Secretary" and before the word "and" add the following:

"the news media of the area where the committee meeting is being held,"

Delegate De Blieux moved the adoption of the amendment.

Seconded by Delegate Stagg.

And the amendment was rejected.

Delegate Zervigon sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Zervigon to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 19, line 29 after the word "date," and before the word "and" insert the word "place"

**AMENDMENT No. 2—**

On page 19, line 30, before the words "of the committee meetings," delete the word "place" and insert in lieu thereof the word "agenda"

Delegate Zervigon moved the adoption of the amendments.

Seconded by Delegate Silverberg.

And the amendments were adopted.

Delegate Zervigon sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 20, line 1, after the words "four days" delete the remainder of the line and insert in lieu thereof ", not counting Saturdays, Sundays and holidays, after the mailing of the notices by the Secretary."

Delegate Zervigon moved the adoption of the amendment.

Seconded by Delegate Lowe.

And the amendment was rejected.

Delegate Zervigon sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 20, delete lines 2 through 10 in their entirety and insert in lieu thereof the following:

"When the Convention is in session there shall be in addition to the above notice, further notice given by announcement of date, time, place and agenda of the committee meeting from the floor of the Convention and by posting of same on a designated bulletin board in the vicinity of the Convention floor. A committee may call an emergency meeting obtaining consent of the Convention by a majority vote of those present and by giving forty-eight hours notice as described above."

Delegate Zervigon moved the adoption of the amendment.

Seconded by Delegate De Blieux.

And the amendment was adopted.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 20, line 8, after the word "thereof" add the following:

"together with an agenda of the matters to be heard,"

Delegate De Blieux moved the adoption of the amendment.

Seconded by Delegate Schmitt.

And the amendment was rejected.

Delegate Stagg then moved the adoption of Rule No. 62, as amended.

Seconded by Delegate Conino.

And the Rule, as amended, was adopted.

**Rule No. 63. Sub-committees.** A committee, by the affirmative vote of the majority of its members, may provide for the appointment by the committee chairman of sub-committee composed of members of the committee. Reports of sub-committees shall be considered by the entire committee before any committee recommends any action therein by the Convention. All rules applicable to committees shall be applicable to sub-committees.

Read.

Delegate Stagg moved the adoption of Rule No. 63.

Seconded by Delegate Badeaux.

And the Rule was adopted.

**Rule No. 64. Records.** All written records and reports of committees of the Convention shall be subject to provisions of the Public Records Act.

Read.

Delegate Stagg moved the adoption of Rule No. 64.

Seconded by Delegate Reeves.

And the Rule was adopted.

**Rule No. 65. Procedure.** The Convention by a majority vote of the delegates present and voting may resolve itself into a Committee of the Whole for a specified time and purpose. The motion of the Committee of the Whole shall specify the maximum time during which the Committee shall sit.

A. The chairman shall designate a delegate to serve as chairman of the Committee of the Whole. The rules of procedure of the Convention shall apply insofar as applicable, except that delegates may speak more than once unless the chairman imposes limits on debate, actions will be governed by a majority of those present and voting, matters cannot be referred to other committees, no question may be laid on the table, the previous question cannot be ordered, and motions to adjourn will not be entertained.

B. Proposals in the Committee of the Whole shall be read through, debated and acted upon by sections. All amendments shall be in writing and reported to the Convention by the chairman.

C. A motion that the Committee of the Whole rise shall always be in order unless a delegate is speaking or a vote is being taken. The motion is not debatable and shall be decided by a majority vote of those present and voting.

Read.

Delegate Stagg moved the adoption of Rule No. 65.

Seconded by Delegate Slay.

And the Rule was adopted.
5th Days Proceedings—January 17, 1973

Rule No. 66. Order. The daily business of the Convention shall proceed as follows:

1. Roll call.
2. Prayer.
3. Reading and adoption of Journal.
4. Petitions, Memorials, and Communications.
5. Introduction of resolutions.
7. Proposals on Introduction and First Reading.
8. Resolutions on Second Reading and Referral.
9. Proposals on Second Reading and Referral.
10. Reports of Committees Lying Over.
11. Reconsideration
   Regular Order of the Day
13. Special Order.
14. Resolutions on Third Reading and Final Passage.
15. Proposals on Third Reading and Final Passage.
16. Proposals on calendar for approval of final styling.

Read.
Delegate Stagg moved the adoption of Rule 66.
Seconded by Delegate Duval.

Delegate Toca sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Toca to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 21, between lines 18 and 19 insert the following: 
"2A. Pledge of Allegiance"

Delegate Toca moved the adoption of the amendment.
Seconded by Delegate Stagg.

And the amendment was adopted.

Delegate Stagg moved the adoption of Rule 66, as amended.
Seconded by Delegate Duval.

And the Rule, as amended, was adopted.

Rule No 67. Change in Daily Order. The order of daily business set forth in the above rule shall be adhered to unless the consent of the Convention shall be otherwise given by majority vote of the delegates present.

Read.
Delegate Stagg moved the adoption of Rule 67.
Seconded by Delegate Lanier.

And the Rule was adopted.

Rule No 68. Time of Committee Referral. Where appropriate, all petitions and memorials shall be referred to the proper committees by the chairman as soon as read, where reference may be necessary or is requested by a delegate.

Read.
Delegate Stagg moved the adoption of Rule 68.
Seconded by Delegate Wishing.

And the Rule was adopted.

Rule No 69. Privileged Motions. When a question is under debate, no motion shall be received except:
1. To fix the time to which to adjourn.
2. To adjourn.

3. To take a recess.
4. To call for the Orders of the Day.
5. To lay on the table.
6. For a Call of the Convention.
7. To limit debate.
8. To move the previous question on the entire subject matter.
9. To move the previous question.
10. To postpone to a day certain.
11. To commit, refer, or recommit.
12. To amend.
13. To postpone indefinitely.

The motions listed in this rule shall take precedence in the order which they stand arranged. All of them shall be decided by the affirmative vote of a majority of those present and voting, except that a motion for the previous question and the previous question on the entire subject matter shall require a vote of two-thirds of the delegates present and voting, and a motion to postpone indefinitely requires the affirmative vote of a majority of all delegates to the Convention. When a recess is taken while a question is pending, consideration of such question shall be resumed when the Convention reassembles, unless it determines otherwise. No motion to postpone to a day certain, or to commit, having been decided by the Convention, shall again be in order on the same day or at the same stage of the question. Whenever a proposal is being considered and a motion is then made, either to postpone indefinitely or to commit, any pending amendments to the proposal shall first be in order before any vote is taken on any such motion.

Read.
Delegate Stagg moved the adoption of Rule 69.
Seconded by Delegate Chehardy.

Delegates Rayburn and Ginn sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Rayburn and Ginn to Committee Resolution No. 1 by Delegate Stagg et al.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 22, line 26 after the word “voting,” and before the words “a motion” strike out the words “except that”

AMENDMENT No. 2—
On page 22, line 28 after the words “vote of” strike out the words “two-thirds” and insert in lieu thereof the words “a majority”

Delegate Rayburn moved the adoption of the amendments.
Seconded by Delegate Ginn.

And the amendments were adopted.

Leave of Absence

O'Neill—½ day.
Roy—1 day.
Armentor—1 day.
Sandoz—1 day.

Adjournment

Delegate Burns moved that the Convention do now adjourn until Thursday, January 18, 1973 at 10:00 o'clock A.M.

Seconded by Delegate Stagg.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, January 18, 1973 at 10:00 A.M.

Prepared in accordance with the transcript and records of the Convention.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 10:00 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

**PRESENT**

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<td>Mr. Chairman</td>
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<td>Abraham</td>
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<td>Fontenot</td>
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**ABSENT**

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<td>Derbes</td>
<td>Landrum</td>
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<tr>
<td>Kilpatrick</td>
<td>LeBreton</td>
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The Chairman announced that there were 127 members present and a quorum.
ROLL CALL

The roll was called with the following result:

**YEAS**

- Haynes
- Hernandez
- Jack
- Jackson, A.
- Kelly
- Lambert
- Landry, A.
- Leclu
- Leithman
- Lennox
- Lowe
- McDaniel
- Martin
- Mauberret
- Miller
- Munson
- Newton
- Nunez
- O'Neill
- Perkins
- Perez
- Planchard

**NAYS**

- Deshotels
- Drew
- Fontenot
- Gauthier
- Glarruso
- Grier
- Guarisco
- Hardee
- Hayes
- Jenkins
- Juneau
- Kean
- Kilbourne
- Landrum
- Landry, E. J.
- Latier
- Leigh
- LeBel

**ABSENT**

- Kilpatrick
- LeBreton
- Carso
- Tute

And the amendments were adopted.

Delegate Jenkins sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 22, line 24, following the words "stand arranged," add the following:

"Proponents and opponents of motions shall be recognized to speak alternately."

**AMENDMENT No. 2—**

On page 22, line 24, following the words "All of" delete the word "them" and insert in lieu the word "motions" Delegate Stagg moved the adoption of the amendments.

Seconded by Delegate De Blieux.

And the amendments were rejected.

Delegate Bollinger sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Bollinger to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 22, line 27, immediately after the partial word "tion" and before the words "the previous" strike out the word "and" and insert in lieu thereof a comma "," Delegate Bollinger moved the adoption of the amendments.

Seconded by Delegate De Blieux.

And the amendments were rejected.

Delegate Bollinger moved the adoption of the amendments.

**Motion**

Delegate Duval moved to limit debate to ten minutes allowing ten minutes to the proponents of the amendments and ten minutes to the opponents.

Seconded by Delegate Bollinger.

And the motion was adopted.

The vote recurred on the amendments.

And the amendments were rejected.

Delegate Stagg then moved the adoption of Rule No. 69, as amended.

Seconded by Delegate Slay.

And the Rule, as amended, was adopted.
Rule No. 70. Motions Not Debatable. A motion to adjourn is always in order except when a motion to fix the time to which to adjourn, or a motion to amend the calendar and agenda, is pending. A motion to adjourn, a motion to lay on the table, a motion for recess pending the consideration of other business and all matters relating to questions of order shall be decided without debate.

Read.
Delegate Stagg moved the adoption of Rule No. 70.
Seconded by Delegate Kelly.
And the Rule was adopted.

Rule No. 71. Withdrawal. Any motion may be withdrawn by the mover at any time before decision, amendment or ordering of the yeas and nays, except a motion to reconsider which may not be withdrawn without consent of the Convention.

Read.
Delegate Stagg moved the adoption of Rule No. 71.
Seconded by Delegate Reeves.
And the Rule was adopted.

Rule No. 72. Format of Motions and Seconds. Motions shall be presented in the following manner:
A. No motion listed in Rule No. 69 need to be in writing.
Where a motion is in writing the delegate shall attach his or her name hereto before it is received by the Chairman or read by the Secretary, or before it is debated, if debate is in order.
B. No motion need be seconded.

Read.
Delegate Stagg moved the adoption of Rule No. 72.
Seconded by Delegate Segura.
Delegate Stagg sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 25 in Rule No. 73 after the words "Motion for Reconsideration," strike out the remainder of line 25 and all of lines 26 and 27 and add the following sentence:
"Any member who voted on the prevailing side of the question may move for a reconsideration of any question at the same session of the Convention or the next succeeding session:"

Delegate Burson moved the adoption of the amendment.
Seconded by Delegate Munson.
And the amendment was rejected.
Delegate J. Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate J. Jackson to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 23, line 29, immediately after the word "on" and before the word "any" insert the following:
"any matter which is in the purview of said committee's functions, on"

Delegate J. Jackson moved the adoption of the amendment.
Seconded by Delegate Stovall.
And the amendment was rejected.

Delegate Leithman in the Chair
Delegate Stagg then moved the adoption of Rule No. 73.
Seconded by Delegate Tobias.
And the Rule, was adopted.

Rule No. 74. Motion to Call from the Table. A motion which has been laid on the table shall be called from the table only by the affirmative vote of two-thirds of the delegates to the Convention.

Read.
Delegate Stagg moved the adoption of Rule No. 74.
Seconded by Delegate Bergeron.
And the Rule was adopted.

Rule No. 75. Division of a Question. Any delegate may call for a division of the question, which shall be divided if it includes propositions which are so distinct in substance that, when one is removed or deferred, a substantive proposition remains for the decision of the Convention. A motion to strike cut and insert shall not be subject to division within the meaning of this rule. No section of a proposal may be divided. The limits on debate as set forth in Rule No. 30 of these rules shall apply to the debate on each division of a question.

Read.
Delegate Stagg moved the adoption of Rule No. 75.
Seconded by Delegate Fayard.

Delegate Stagg sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Stagg on behalf of the Temporary Rules Committee to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 24, line 11, delete the word "No".

AMENDMENT No. 2—
On page 24, line 12, delete the words "section of a proposal may be divided".

On motion of Delegate Stagg the amendments were withdrawn.
Delegate De Blieux sent up floor amendments which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate De Blieux to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 24, line 11, delete the word "No".

AMENDMENT No. 2—
On page 24, line 12, delete the words "section of a proposal may be divided".
Delegate De Blieux moved the adoption of the amendment.
Seconded by Delegate Avant.
And the amendments were adopted.
Delegate Stagg moved the adoption of Rule No. 75, as amended.
Seconded by Delegate Fayard.
And the Rule, as amended, was adopted.

Rule No. 76. Previous Question. A. Previous question. This undefeatable motion is applicable only to the pending amendment, or amendments, if more than one amendment is under discussion; and it shall be admitted when ordered by a favorable vote of two-thirds of the delegates present and voting, and when carried its effect shall be to put an end to the debate and bring the Convention to a vote on the pending amendments only, without prejudice to further debate on, or subsequent amendments to, the main question. If there has been any discussion on the amendments, the proponent, or a delegate designated by him, shall have the right to close, even after the previous question is ordered, which closing speech shall be limited to fifteen minutes.

B. Previous question on the entire subject matter. It shall only be admitted when ordered by a favorable vote of two-thirds of the delegates present and voting, and when carried, its effect shall be to put an end to all debate, and bring the Convention to a direct vote:
(1) Upon the pending amendment and so on back to the first amendment offered;
(2) Upon amendment reported by a committee, if any; and
(3) Upon the main question. But in all questions involving length of time, amount of interest, questions of quantity, and similar questions, such questions involving the longest time, the largest interest or quantity shall be put first regardless of the order in which motions, amendments or substitutes, may have been made.

On a motion for the previous question on the entire subject matter, and prior to the ordering of the same, a call of the Convention shall be in order; but after the Convention shall have ordered such motion no call shall be in order prior to a decision of the main question. On a motion for the previous question on the entire subject matter, there shall be no debate. All incidental questions of order, arising after a motion is made for the previous question on the entire subject matter, pending such motion, shall be decided whether on appeal or otherwise, without debate. After a call for the previous question on the entire subject matter has been sustained, the question shall be put and determined in order as above, without debate on either amendments or the main question, provided that the proponents of the amendments and measure, or a delegate designated by him, shall respectively have the right to close the debate, after the previous question on the entire subject matter is ordered, which closing speech shall be limited to a total of fifteen minutes.

Read.
Delegate Stagg moved the adoption of Rule No. 76.
Seconded by Delegate Slay.
Delegate Kean sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Kean to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 24, line 19 after the word "vote" delete the remainder of line 19 and insert in lieu thereof the following: "as provided in Rule 69"

AMENDMENT No. 2—
On page 24, line 20 delete the word "voting"

AMENDMENT No. 3—
On page 24, line 25, delete the "a" before the word "delegate" and change the word "delegate" to "delegates"

AMENDMENT No. 4—
On page 24, line 29, delete the word "of", and on line 30, delete the words "two thirds of the delegates present voting" and insert "as provided in Rule 69."

AMENDMENT No. 5—
On page 24, line 32 after the word "Convention" and before the word "10" add the words "or any committee"

AMENDMENT No. 6—
On page 25, line 22 delete the "a" and change the word "delegate" to "delegates"

AMENDMENT No. 7—
On page 25, line 25, correctly spell the word "speeches" so as to read "speeches"
Delegate Kean moved the adoption of the amendment.
Seconded by Delegate Kean.
And the amendments were adopted.
Delegate Duval sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Duval to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:
AMENDMENT No. 1—
On page 25, between lines 7 and 8 add the following: "(4) The motion for the previous question and the previous question on the subject matter shall, during the consideration of any proposal, extend only to the individual section under discussion in accordance with Rule No. 45."

Delegate Duval moved the adoption of the amendment.
Delegate Stagg then moved the adoption of Rule No. 76, as amended.
Seconded by Delegate Velazquez.
And the amendment was adopted.

Delegate Stagg then moved the adoption of Rule No. 77. as amended.
Seconded by Delegate Slay.
And the Rule, as amended, was adopted.

Rule No. 77. Adjournment and Recess. A motion to adjourn or recess shall always be in order, except when, on a call for the previous question and previous question on the entire subject matter, the question shall have been ordered, or when a delegate has the floor, and shall be decided without debate.

Read.
Delegate Stagg moved the adoption of Rule No. 77.
Seconded by Delegate Shannon.
And the Rule was adopted.

Rule No. 78. Voting after Decision is Announced. When the Yeas and Nays are taken on any question, no delegate shall be permitted, under any circumstances whatever, to vote after the decision has been announced by the chairman. The names of absentees on all calls of the yeas and nays shall be placed on a separate list.

Read.
Delegate Stagg moved the adoption of Rule 78.
Seconded by Delegate Bergeron.
And the Rule was adopted.

Rule No. 79. Explanation of Vote. No delegate shall be permitted to explain his or her vote except as hereafter provided. Any delegate may explain his or her vote in writing or reasons for not voting in writing and request that such explanation be made part of the record.

Read.
Delegate Stagg moved the adoption of Rule No. 79.
Seconded by Delegate Weiss.
And the Rule was adopted.

Rule No. 80. Tie Votes. When the Convention is equally divided, the decision of the chairman shall be taken to break the tie, provided that the chairman, in this event, shall not have previously voted as a delegate on the question.

Read.
Delegate Stagg moved the adoption of Rule No. 80.
Seconded by Delegate Chehardy.
Delegate Stagg sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 26, line 23, at the end of the line strike out the period “.” and insert in lieu thereof the following: “and voting.”

Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Ourso.
And the amendment was adopted.

Delegate Stagg then moved the adoption of Rule No. 82, as amended.
Seconded by Delegate Chehardy.
And the Rule, as amended, was adopted.

Rule No. 81. Recording the Vote. On the passage on third reading of every proposal, section, or article the yeas and nays shall be entered in the Journal, and no proposal, section, or article shall be declared passed unless a majority of all the delegates to the Convention shall have voted in favor of the passage of same.

Read.
Delegate Stagg moved the adoption of Rule No. 81.
Seconded by Delegate Kean.
And the Rule was adopted.

Rule No. 82. Consent. No proposal, resolution or other subject shall be made a special order for a particular day without the consent of two-thirds of the delegates present.

Delegate Stagg moved the adoption of Rule No. 82.
Seconded by Delegate Ourso.
Delegate Stagg sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.
Amend the Original Resolution as follows:

AMENDMENT No. 1—
On page 26, line 23, at the end of the line strike out the period “.” and insert in lieu thereof the following: “and voting.”

Delegate Stagg moved the adoption of the amendment.
Seconded by Delegate Ourso.
And the amendment was adopted.

Delegate Stagg then moved the adoption of Rule No. 82, as amended.
Seconded by Delegate Ourso.
And the Rule, as amended, was adopted.

Rule No. 83. Precedence. When two or more subjects shall have been specially assigned for consideration, they shall take precedence according to the order of time for which they were severally made or assigned, and said orders shall at no time be lost or charged except by direction of the Convention.

Read.
Delegate Stagg moved the adoption of Rule No. 83.
Seconded by Delegate Wisham.
And the Rule was adopted.

Rule No. 84. Change in Rules. Any standing rule of the Convention may be rescinded, altered, or amended in the following manner: notice shall be given in writing of the motion therefore, which motion shall be referred immediately by the chairman to the Committee on Rules, which shall file its report to the Convention within twenty-four hours of receipt of the motion. Two days after the filing of the proposed change, the motion shall be considered by the Convention with or without the report of the Committee on Rules, and for passage shall require a vote of a majority of the delegates to the Convention.

Read.
Delegate Stagg moved the adoption of Rule No. 84.
Seconded by Delegate Ginn.
Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**
On page 26, line 32, after the word "motion" and before the word which "delele" the word "therefore," and insert in lieu thereof the word "therefor."

**AMENDMENT No. 2—**
On page 27, line 4, after the words "require a" and before the word "vote" insert the following "favorable"

Delegate Stagg moved the adoption of the amendments.

Seconded by Delegate Lanler.

And the amendments were adopted.

Delegate Stagg then moved the adoption of Rule No. 84, as amended.

Seconded by Delegate Ginn.

And the Rule, as amended, was adopted.

**Rule No. 85. Suspension of Rules.** One or more rules may be suspended for a specified purpose by the affirmative vote of two-thirds of the delegates present and voting or a majority of delegates to the Convention, whichever constitutes the lesser number.

Read.

Delegate Stagg moved the adoption of Rule No. 85.

Seconded by Delegate Slay.

Delegate Arnette sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Arnette to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**
On page 27, line 8, after the word "of" delete the remainder of the line and delete lines 9 and 10 in their entirety and insert in lieu thereof the following:

"a majority of the delegates to the Convention."

Delegate Arnette moved the adoption of the amendment.

Seconded by Delegate Gauthier.

And the amendment was adopted.

Delegate Stagg then moved the adoption of Rule 85, as amended.

Seconded by Delegate Slay.

And the Rule, as amended, was adopted.

**Rule No. 86. Consideration of Proposals without Committee Recommendation.** After one day's notice the Convention, on motion passed by the affirmative vote of a majority of the delegates present and voting, may require a committee to return, with or without a recommendation, any proposal referred to the committee.

Read.

Delegate Stagg moved the adoption of Rule No. 86.

Seconded by Delegate Thompson.

And the Rule was adopted.

**Rule No. 87. Notice.** Whenever notice is required to be given by these rules, the following shall constitute notice:

(a) If the Convention is in session, an announcement made by the Secretary in open session shall constitute notice for all purposes.

(b) If the Convention is not in session, the Secretary shall give notice to the delegates by U. S. Mail, certified, postage prepaid. The date of mailing said notice shall constitute the date of the notice for all purposes under these rules.

Read.

Delegate Stagg moved the adoption of Rule No. 87.

Seconded by Delegate Newton.

And the Rule was adopted.

**Rule No. 88. Authority.** On any question of order and parliamentary practice, when these rules are silent or inexplicit, Mason's Manual Of Legislative Procedure shall be considered authority.

Read.

Delegate Stagg moved the adoption of Rule 88.

Seconded by Delegate Fayard.

And the Rule was adopted.

Delegate Stagg sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg to Committee Resolution No. 1 by Delegate Stagg et al.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**
On page 27, line 32, add the following:

"Rule No. 89. Name Abbreviation. In all correspondence, news releases, memoranda and other similar writings, it shall be permissible to refer to the Constitutional Convention of 1973 by the abbreviation "C.C./73.""

Delegate Stagg moved the adoption of the amendment.

Seconded by Delegate Kean.

And the Rule was adopted.

Delegate Womack sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Womack to Committee Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**
On page 27, line 32 add the following:

"CHAPTER 7.
Interim Meetings"

Rule No. 90. Interim Meetings of the Convention.
The Chairman, with the approval of the Executive Committee, may reconvene the Convention."

On motion of Delegate Womack, the amendment was withdrawn.

**Final Passage**

Delegate Stagg moved the adoption of Committee Resolution No. 1, as amended.

Seconded by Delegate Kean.

And the Resolution was adopted.

Chairman Henry announced his appointment of the Hon. David R. Poynter as Chief Clerk of the Convention.

Delegate Taylor moved to approve Chairman Henry's appointment as provided in the Rules.

And the appointment was approved by acclamation by the Convention.
PAGE 7

6th Days Proceedings—January 18, 1973

Introduction of Resolutions
Delegate and Committee Resolution

The following delegates introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 6—
Introduced by Delegate Weiss:

A RESOLUTION
Relative to the use of existing Louisiana Hospital Television Network facilities by the Louisiana Constitutional Convention of 1973, acting through its committees.

WHEREAS, it is of vital importance to the success of the work of this convention that its committees have the benefit of the knowledge, wisdom and opinion of all of the citizens of Louisiana and that methods be evolved which will permit ease of access to such persons regardless of their place of residence within the state; and

WHEREAS, in addition to the public meetings which the various committees will hold within and without the city of Baton Rouge at which interested citizens and others possessing specialized knowledge will appear, it is anticipated that additional need for consultation and hearings will develop during the course of committee study and deliberations which will require contact with individuals and groups of persons in areas of the state both within and without the city of Baton Rouge; and

WHEREAS, the existing closed circuit television facilities of the Louisiana Hospital Television Network can be of inestimable value to this convention and its committees, and hence to the people of the state of Louisiana, in providing a means of communication between any committee and persons or groups residing in other areas in or near the state-owned and operated hospitals which form a part of said hospital television network; and

WHEREAS, Section 5(F) of Act No. 2 of the 1972 Regular Session of the Legislature authorizes this convention to "use the facilities and services of any board, commission, department or agency of the state and of any political subdivision of the state" and provides that "all such agencies shall cooperate with the convention so that the fullest extent in furnishing services, facilities and employment is used," and it is desirable that action be taken to provide for the use of the facilities of the above-referred-to television network and, to the extent feasible and necessary, those of the Louisiana Educational Television Authority,

THEREFORE, RESOLVED, in the interest of expediency and in order to provide a useful facility for the development of data and information and for the review of specific progress in the preparation of assigned categories of its work, this Constitutional Convention does hereby authorize the Division of the Louisiana Health and Social and Rehabilitation Services Administration and the head of the Division of Hospitals of said Administration and other such division heads as may be applicable, that the existing facilities of the Louisiana Hospital Television Network be made available to this convention and to the committees of this convention during the course of the deliberations in connection with the framing of a new constitution for the state of Louisiana, as provided by Act No. 2 of the 1972 Regular Session of the Legislature, according to such schedule, which shall not conflict with the regular closed circuit programming of said network, as shall be developed and determined by the convention, acting through the respective chairman of its committees and the appropriate officials or personnel of said Louisiana Hospital Television Network.

BE IT FURTHER RESOLVED that such existing closed circuit television facilities shall be made available only when not in use for the purposes for which they are operated and on an hourly cost basis for line charges and personnel time which shall be determined by the Executive Committee of this Constitutional Convention and, further, that such facilities shall be made available only upon request by the respective committee chairman made prior to the date on which such use is required and then only for necessary discussions relative to the work assigned to the committee making the request and in no case for general discussion meetings which would demand more time than use of lines by all committees requesting such services would permit, consistent with the regular usage of the facilities of the Louisiana Hospital Television Network.

BE IT FURTHER RESOLVED that the Louisiana Educational Television Authority is hereby requested to cooperate with the Louisiana Hospital Television Network officials to the full extent deemed necessary and desirable in order to assure that closed circuit television facilities are made available to this Constitutional Convention and its committees as herein set forth.

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted by the Secretary of the Constitutional Convention to the Commissioner of the Louisiana Health and Social and Rehabilitation Services Administration, the head of the Division of Hospitals of said Administration, to the head of the Louisiana Educational Television Authority and to any other person to whom applicable without delay.

Read.  

Motion
On motion of Delegate Weiss the Rules were suspended in order to consider the Resolution at this time.

Delegate Weiss moved the adoption of the Resolution.

Delegate Womack moved as a substitute that the Resolution be referred to the Committee on Public Information.

Delegate Weiss objected.

The substitute motion was rejected viva voce.

Motion
Delegate Womack moved as a substitute that the Resolution be referred to the Executive Committee.

Delegate Weiss objected.

The substitute motion was rejected, viva voce.

The vote then recurred on Delegate Weiss's motion for the adoption of the Resolution.

And the Resolution was adopted, viva voce.

DELEGATE RESOLUTION No. 7—
Introduced by Delegate Derbes:

A RESOLUTION
To adopt the following standing rule of the Constitutional Convention.

Rule No. 46—Registration of Advocates

A. Advocates Defined
An advocate is any person who is the representative for compensation and/or reimbursement of expenses of any other person, or any partnership, committee, association, corporation or other organization, or of any division, subdivision or agency of the State of Louisiana, its parishes or municipalities, to advocate passage or defeat of proposals or to otherwise influence the work of the convention, its committees, sub-committees or delegates. Before advocating passage or defeat of proposals or and before attempting to influence the work of the Convention, its committees, sub-committees or delegates, the advocate shall submit a registration statement setting forth his or her name and address, the name and address of the person or entity by whom the advocate is employed, and the name and address of the person or entity whose interest the advocate will advocate.

B. Registration
Registration of advocates shall be by oath or affirmation before an officer authorized by law to administer oaths, or before the chairman of any committee or sub-committee as provided in Rule No. 58. Whenever there occurs a change in the facts stated in the registration statement, the advocate shall file a revised statement. The Secretary of the Convention shall maintain for inspection by the public and by the delegates of this Convention, a list of all advocates and their affiliations.

C. Prohibition
Any person who has commenced the activities of an advocate without prior registration as herein required shall, upon resolution of the committees or sub-committees of the Convention, be denied the privilege of addressing that respective committee or sub-committee. Any advocate who
has falsified his or her registration statement shall be reported to the Executive Committee, and upon resolution of that committee, referred to an appropriate law enforcement officer for prosecution for the crime of false swearing.

Read, lies over under the Rules.

DELEGATE RESOLUTION No. 8—
Introduced by Delegates Roy, Gauthier and Dennis:
A RESOLUTION
WHEREAS, pursuant to Act 2 of 1972, the Constitutional Convention for 1973 convened on January 5, 1973; and
WHEREAS, the Honorable Walter B. Hamlin, Chief Justice of the Supreme Court of Louisiana was, by said Act, designated as the temporary chairman of said Convention; and
WHEREAS, Chief Justice Hamlin immediately and conscientiously initiated procedures for the orderly commencement of the Constitutional Convention; and
WHEREAS, Chief Justice Hamlin devoted many hours of study and preparation for this historic undertaking; and
WHEREAS, his new duties as Chief Justice of the Louisiana Supreme Court and as Chief Administrative Officer of the Judiciary of the State of Louisiana compelled him to have someone designated in his stead.
NOW, THEREFORE BE IT RESOLVED that the delegates to the Constitutional Convention of 1973, individually and on behalf of their respective districts do hereby express their deep and sincere appreciation to Chief Justice Hamlin for his interest and leadership in the formation of the Convention; and for his continued interest heretofore expressed in the confection of a new Constitution for the State of Louisiana.
BE IT FURTHER RESOLVED that this Resolution be engrossed and made part of the minutes of this Convention and a copy suitably framed and presented to Chief Justice Hamlin.
Read.

On motion of Delegate Roy the rules were suspended in order to consider the adoption of the Resolution at this time.

Delegate Triche sent up a floor amendment, which was read as follows:
Amendment proposed by Delegate Triche to Delegate Resolution No. 1 by Delegate Stagg.

Amend the Original Resolution as follows:
AMENDMENT No. 1—
Add as co-authors “and all members of the Constitutional Convention of 1973”

On motion of Delegate Triche, the amendment was adopted.

On motion of Delegate Triche, the Resolution, as amended was adopted.

DELEGATE RESOLUTION No. 9—
By: Delegate Jenkins:
A RESOLUTION
To provide with respect to the purchase of printing, materials, supplies, equipment and services, except employment, and to provide further with respect thereto.
BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that no printing, materials, supplies, equipment or services, except employment, with a value in excess of five thousand dollars shall be purchased or rented by the Convention unless the Executive Committee or any subcommittee of the Executive Committee or any officer who may be authorized to do so shall have first advertised for sealed bids, opened such bids, accepted the lowest responsible bid which has been offered reserving the right to refuse to accept any bid; and
BE IT FURTHER RESOLVED that no contract for printing, materials, supplies, equipment or services, which may have been heretofore agreed to by the State of Louisiana shall be binding on this Convention.
On motion of Delegate Jenkins, and under a suspension of the Rules, the Resolution was placed on the Calendar for final passage on tomorrow.

DELEGATE RESOLUTION No. 10—
Introduced by Delegate Assaf:
A RESOLUTION
To urge public and private employers in Louisiana to give preference in their employment practices to disabled veterans.
WHEREAS, there are many disabled veterans which has resulted from their defense of their country in various areas of the world, and
WHEREAS, this country owes a profound debt of gratitude especially to its disabled veterans for their performance of their duty at great personal sacrifice, and
WHEREAS, it is the duty of all of our citizens to repay these veterans and to lay the Louisiana for their acts of bravery and patriotism for their country, and
WHEREAS, the Louisiana Constitutional Convention is deeply concerned about the welfare of our disabled veterans who gave so much in behalf of their country and deserve the best that we can offer for their great sacrifice for us and for mankind.
THEREFORE, BE IT RESOLVED by the Louisiana Constitutional Convention convened in Baton Rouge on January 5, 1973, that the Convention expresses its gratitude to our disabled veterans and urges public and private employers to give preference to disabled veterans in their employment practices.
Read.

On motion of Delegate Assaf, the Rules were suspended for the purpose of considering the Resolution at this time.

On motion of Delegate Assaf the Resolution was adopted.

DELEGATE RESOLUTION No. 11—
Introduced by Delegate Avant:
A RESOLUTION
BE IT RESOLVED that no resolution, memorial or petition be in order unless it is germane to the business of this Convention as such.
Read.

On motion of Delegate Avant the Rules were suspended for the purpose of considering the Resolution at this time.

On motion of Delegate Avant, the Resolution was adopted.

DELEGATE RESOLUTION No. 12—
By Delegate Shannon:
A RESOLUTION
To commend and express the appreciation of this convention to all persons, groups and organizations for assistance during the organizational period of the convention.
BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that the convention and all of its members do hereby express to all those individuals, groups and organizations, public and private, who have generously assisted this convention and its individual members during the course of its organizational period its sincere appreciation for such services.
BE IT FURTHER RESOLVED that all such persons, groups and organizations are highly commended for the diligence and dedication exhibited in their efforts in behalf of this Constitutional Convention.
Read.

On motion of Delegate Shannon the Rules were suspended in order to consider the adoption of the Resolution at this time.

On motion of Delegate Shannon the Resolution was adopted.

DELEGATE RESOLUTION No. 13—
Introduced by Delegate Guarisco:
A RESOLUTION
To direct the Chairman and the Executive Committee of the 1973 Constitutional Convention to furnish each delegate with stationery under the Convention leithead containing the delegate's name and committee assignment and any office held by a delegate.
WHEREAS, it will be necessary for the delegate to correspond with persons in the interest of forming a new Constitution; and
WHEREAS, no official stationery exists for the delegates; and
WHEREAS, it is of much importance that the delegates do have official stationery so that they will be recognized throughout the state when corresponding with various persons and officials.
THEREFORE, BE IT RESOLVED by the delegates to the 1973 Constitutional Convention of Louisiana that the Chairman and Executive Committee of Convention are hereby directed to provide each delegate with stationery under the Convention letterhead containing the delegate’s name and committee assignment and any Convention office held by a delegate.

Read.

On motion of Delegate Guarisco the Rules were suspended for the purpose of considering the Resolution at this time.

Delegate Guarisco sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Guarisco to Delegate Resolution No. 13 by Delegate Stagg.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 1, line 21, immediately after the words “and any” and before the word “office” insert the word “Convention.”

On motion of Delegate Guarisco the amendment was adopted.

On motion of Delegate Guarisco the resolution, as amended, was adopted.

**DELEGATE RESOLUTION No. 14—**

Introduced by Delegates Arnette, Sutherland and all delegates to the Constitutional Convention of 1973:

A RESOLUTION

WHEREAS, pursuant to Act 2, of 1972, the Constitutional Convention for 1973 convened on January 5, 1973; and
WHEREAS, the Honorable Joseph W. Sanders, Justice of the Supreme Court of Louisiana was, by the Supreme Court, designated as the temporary chairman of said Convention; and
WHEREAS, Justice Sanders immediately and conscientiously initiated procedures for the orderly commencement of the Constitutional Convention; and
WHEREAS, Justice Sanders devoted many hours of study and preparation for this historic undertaking; and
WHEREAS, Justice Sanders did perform the duties of temporary chairman in an exemplary manner.
NOW, THEREFORE BE IT RESOLVED that the delegates to the Constitutional Convention of 1972, individually and on behalf of their respective districts do hereby express their deep and sincere appreciation to Justice Sanders for his interest and leadership in the formation of the Convention and for his continued interest heretofore expressed in the confection of a new Constitution for the State of Louisiana.

BE IT FURTHER RESOLVED that this Resolution be engrossed and made part of the minutes of this Convention and a copy suitably framed and presented to Justice Sanders.

Read.

On motion of Delegate Arnette the rules were suspended for the purpose of considering the adoption of the Resolution at this time.

On motion of Delegate Arnette the Resolution was adopted.

**Leave of Absence**

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**Adjournment**

Delegate Wall, moved that the Convention do now adjourn until Friday, January 19, 1973 at 9:30 o’clock, A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, January 19, 1973 at 9:30 o’clock A.M.

Prepaid in accordance with the transcript and records of the Convention. Resolutions introduced on this day have been numbered by the Secretary in accordance with the order of the Convention.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
SEVENTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of 1972
Regular Session of the Legislature


The Convention was called to order at 9:30 o'clock A.M.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered
to their names:

PRESENT

Delegates—
Mr. Chairman
A setObject
Alario
Alexander
Anzalone
Armentor
Arnette
Assist
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmoache
Casey
Champagne
Chatelain
Chehardy
Colten
Conlin
Conroy
Corne
Cowan
D'Gerolamo
De Bleau
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler

Fulco
Gauthier
Giarrusso
Ginn
Gravel
Grier
Guarisco
Guidry
Hardee
Hayes
Hayes
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landry
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBreton
Leigh
Leithman
Lennox
Lowe
McDaniel
Martin
Mauberret
Miller
Mire
Monson
Newton
Nunez
O'Neill
Oursou
Perez
Perkins
Planchard
Rachal
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandacz
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Taylor
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Triche
Ullo
Velazquez
Vesich
Vick
Wall
Warren
Weiss
Wells
Winchester
Wisam
Womack
Zervigon

ABSENT

Delegates—
Abraham
Total—1.

The Chairman announced that there were 131 members
present and a quorum.

Prayer

Prayer was offered by Delegate Landrum.

Pledge of Allegiance

Delegate Kean led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Alario, the reading of the Journal
was dispensed with.

Morning Hour

Introduction of Resolutions

Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their
committees introduced the following resolutions:

DELEGATE RESOLUTION No. 15—
By Delegate Dennis:

A RESOLUTION
To provide with respect to the functioning of the com-
BE IT RESOLVED, that the substantive, procedural and
other committees now created or otherwise created in ac-
cordance with the Standing Rules of the Convention are
hereby authorized and directed to commence immediately
the performance of their functions and duties, and to expend
funds of the Convention in furtherance thereof under the
administration of the Executive Committee, all in accordance
with the Standing Rules of the Convention.
BE IT FURTHER RESOLVED that the Executive Com-
mittee is hereby authorized and directed to commence im-
mediately the performance of its duties and functions in-
cluding that of budgeting and approving the expenditure of
funds in such funds by itself and all other committees of the
Convention, in accordance with Act 2 of 1972 and the

Read.

On motion of Delegate Dennis the Rules were suspended
for the purpose of considering the adoption of the Resolution
at this time.

On motion of Delegate Dennis the Resolution was adopted.

Resolutions on Second
Reading and Referral

The following entitled Delegate Resolutions on second
reading to be referred to Committees were taken up, read,
and referred to Committees, as follows:

DELEGATE RESOLUTION No. 7—
Introduced by Delegate Derbes:

A RESOLUTION
To adopt the following standing rule of the Constitutional
Convention.
Rule No. . Registration of Advocates

Advocates Define
An advocate is any person not a delegate to the Louisiana
Constitutional Convention who is the representative for
compensation and/or reimbursement of expenses of any
other person, or any partnership, committee, association,
corporation or other organization, or of any division, sub-
division or agency of the State of Louisiana, its parishes
or municipalities, to advocate passage or defeat of proposals
or to otherwise influence the work of the Convention, its
committees, sub-committees or delegates. Before advocating
passage or defeat of proposals of and before attempting to
influence the work of the Convention, its committees, sub-
committees or delegates, the advocate shall submit a regis-
tration statement settling forth his or her name and address,
the name and address of the person or entity by whom the
advocate is employed, and the name and address of the
person or entity whose interest the advocate will advocate.

B. Registration
Registration of advocates shall be by oath or affirmation
before an officer authorized by law to administer oaths, or
before the chairman of any committee or sub-committee as provided in Rule No. 58. Whenever there occurs a change in the facts stated in the registration statement, the advocate shall file a revised statement. The Secretary of the Convention shall maintain for inspection by the public and by the delegates of this Convention, a list of all advocates and their affiliations.

C. Prohibition

Any person who has commenced the activities of an advocate without prior registration as herein required shall, upon resolution of the committees or sub-committees of the Convention, be denied the privilege of addressing that respective committee or sub-committee. Any advocate who has falsified his or her registration statement shall be reported to the Executive Committee, and upon resolution of that committee, referred to an appropriate law enforcement officer for prosecution for the crime of false swearing.

Read.

On motion of Delegate Derbes, the rules were suspended in order to consider the adoption of the Resolution at this time.

Delegate Derbes moved the adoption of the Resolution.

Delegate Kean moved, as a substitute, that the Resolution be referred to the Committee on Rules, Credentials and Ethics.

Delegate Triche objected.

The substitute motion carried, viva voce.

Delegate Kean moved to reconsider the vote by which the Resolution was referred to the Committee on Rules, Credentials and Ethics was adopted, and on his own motion, the motion to reconsider was tabled.

**Resolutions Delegate and Committee**

The following entitled Delegate Committee Resolutions were taken up on their third reading and final passage:

**RESOLUTION No. 9—**

By: Delegate Jenkins:

A RESOLUTION

To provide with respect to the purchase of printing, materials, supplies, equipment and services, except employment, and to provide further with respect thereto.

BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that no printing, materials, supplies, equipment or services, except employment, with a value in excess of five hundred dollars shall be purchased or rented by the Convention unless the Executive Committee or any sub-committee of the Executive Committee or any officer who may be authorized to do so shall have first advertised for sealed bids, opened such bids in public and accepted the lowest responsible bid which has been offered, reserving the right to refuse to accept any bid, and

BE IT FURTHER RESOLVED that no contract for printing, materials, supplies, equipment or services, which may have been heretofore agreed to by the State of Louisiana shall be binding on this Convention.

Read.

Delegate Jenkins sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Jenkins to Delegate Resolution No. 9 by Delegate Jenkins.

Amend the Original Resolution as follows:

**AMENDMENT No. 1—**

On page 1, line 7, delete the words "five hundred dollars" and insert in lieu thereof the words "one thousand dollars"
FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Delegate Resolution No. 16 by Delegate Casey.

Amend Original Resolution as follows:

AMENDMENT No. 1—
Add as co-authors all the delegates to the Convention.

On motion of Delegate Casey the amendment was adopted.
On motion of Delegate Casey the Resolution, as amended, was adopted.

ELECTION OF OFFICERS

On the motion of Delegate Kilpatrick, the Convention took up the election of officers as provided in Act 2 of the 1972 Regular Session and the Standing Rules of the Convention.

The election of the Statutory Vice-Chairman (First Vice Chairman) was taken up at this time.

Delegate Burson placed in nomination the name of Delegate Ruth Miller.
Delegate Arnette seconded the nomination.
Delegate Badeaux seconded the nomination.
Delegate A. Jackson placed in nomination the name of Delegate Tom Stagg.
Delegate Roemer seconded the nomination.
Delegate Bollinger seconded the nomination.
Delegate Lynn Perkins placed in nomination her own name.
Delegate Warren seconded the nomination.
Delegate O'Neill seconded the nomination.
Delegate Thompson moved that the nominations be closed.

The roll was called and the vote taken with the following results:

ROLL CALL VOTE FOR DELEGATE MILLER

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>FOR DELEGATE MILLER</th>
<th>FOR DELEGATE STAGG</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Elkins</td>
<td>Guarisco</td>
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<tr>
<td>Alexander</td>
<td>Flory</td>
<td>Sandez</td>
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<tr>
<td>Arnette</td>
<td>Ginn</td>
<td>Hayes</td>
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<tr>
<td>Avant</td>
<td>Gravel</td>
<td>Hernandez</td>
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<tr>
<td>Badeaux</td>
<td>Grier</td>
<td>Jack</td>
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<tr>
<td>Bel</td>
<td>Hardee</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Haynes</td>
<td>Keen</td>
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<tr>
<td>Blair</td>
<td>Jackson, J.</td>
<td>Kibbourne</td>
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<tr>
<td>Brown</td>
<td>Junca</td>
<td>McDaniel</td>
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<tr>
<td>Burns</td>
<td>Kelly</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Burson</td>
<td>Landrum</td>
<td>Keene</td>
</tr>
<tr>
<td>Cannon</td>
<td>Lundy, A.</td>
<td>Keene</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Lundy, E. J.</td>
<td>Keene</td>
</tr>
<tr>
<td>Casey</td>
<td>Lanier</td>
<td>Keene</td>
</tr>
<tr>
<td>Chatelain</td>
<td>LeBlu</td>
<td>Keene</td>
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<tr>
<td>Chehardy</td>
<td>LeBreton</td>
<td>Keene</td>
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<tr>
<td>Conino</td>
<td>Leigh</td>
<td>Keene</td>
</tr>
<tr>
<td>Cowen</td>
<td>Leithman</td>
<td>Keene</td>
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<tr>
<td>D'Gerolamo</td>
<td>Lennox</td>
<td>Keene</td>
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<tr>
<td>De Blieux</td>
<td>Lowe</td>
<td>Keene</td>
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<tr>
<td>Denmery</td>
<td>Miller</td>
<td>Keene</td>
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<tr>
<td>Dennis</td>
<td>Mire</td>
<td>Keene</td>
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<tr>
<td>Deshotels</td>
<td>Munson</td>
<td>Keene</td>
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<tr>
<td>Dunlap</td>
<td>Newton</td>
<td>Keene</td>
</tr>
<tr>
<td>Edwards</td>
<td>Planchard</td>
<td>Keene</td>
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<tr>
<td>Total—76.</td>
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</tbody>
</table>

FOR DELEGATE STAGG

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>FOR DELEGATE STAGG</th>
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</thead>
<tbody>
<tr>
<td>Bollinger</td>
<td>Guarisco</td>
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<tr>
<td>Conroy</td>
<td>Hayes</td>
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<tr>
<td>Corne</td>
<td>Hernandez</td>
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<tr>
<td>Derbes</td>
<td>Jack</td>
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<td>Drew</td>
<td>Jackson, A.</td>
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<tr>
<td>Duval</td>
<td>Keen</td>
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<tr>
<td>Fowler</td>
<td>Kibbourne</td>
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<tr>
<td>Fuko</td>
<td>McDaniel</td>
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<tr>
<td>Giarusso</td>
<td>Roemer</td>
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<tr>
<td>Total—25.</td>
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</tbody>
</table>

FOR DELEGATE PERKINS

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>FOR DELEGATE PERKINS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alano</td>
<td>Martin</td>
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<tr>
<td>Champagne</td>
<td>Maugerret</td>
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<tr>
<td>Fayard</td>
<td>Nunez</td>
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<tr>
<td>Fontenot</td>
<td>O'Neill</td>
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<tr>
<td>Gauthier</td>
<td>Ourso</td>
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<tr>
<td>Guidry</td>
<td>Perkins</td>
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<tr>
<td>Jenkins</td>
<td>Perez</td>
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<tr>
<td>Lambert</td>
<td>Reeves</td>
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<tr>
<td>Total—22.</td>
<td></td>
</tr>
</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnette</td>
<td>Armentier</td>
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<tr>
<td>Abraham</td>
<td>Asseff</td>
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<td>Acrker</td>
<td>Collen</td>
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<tr>
<td>Total—9.</td>
<td>Vetich</td>
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</tbody>
</table>

Before the vote was announced, on the suggestion of Delegate Stagg and Delegate Perkins, all delegates voting otherwise changed their vote so as to vote for Delegate Miller.

And the Chair declared Delegate Miller elected as Statutory Vice-Chairman (1st Vice Chairman).

The election of a Vice Chairman was taken up at this time.
Delegate Dennis placed in nomination the name of Delegate Tom Casey.
Delegate Juneau seconded the nomination.
Delegate Soniat seconded the nomination.
Delegate Thompson moved that nominations be closed, which motion was adopted.
Delegate Guidry moved that Delegates Casey be elected by acclamation, which motion was adopted unanimously.
And the Chair declared Delegate Tom Casey elected as a Vice-Chairman.

The election of another Vice-Chairman was taken up at this time.
Delegate Taylor placed in nomination the name of Delegate Avery C. Alexander.
Delegate Wall seconded the nomination.
Delegate Burns seconded the nomination.
Delegate Carmouche moved that the nominations be closed, and that Delegate Alexander be elected by acclamation, which motion was adopted unanimously.
And the Chair declared Delegate Avery C. Alexander elected as a Vice-Chairman.

The election of a final Vice-Chairman was taken up at this time.
Delegate Fayard placed in nomination the name of Delegate Chris J. Roy.
Delegate Kelly seconded the nomination.
Delegate Bergeron seconded the nomination.
Delegate Toce moved that the nominations be closed and that Delegate Roy be elected by acclamation, which motion was adopted unanimously.
And the Chair declared Delegate Chris J. Roy elected as a Vice-Chairman.
The election of Secretary was taken up at this time.

Delegate Kilpatrick placed in nomination the name of Delegate Moise W. Dennery.

Delegate Leigh seconded the nomination.

Delegate Cowen seconded the nomination.

Delegate Stinson placed in nomination the name of Delegate Louis "Woody" Jenkins.

Delegate Roemer seconded the nomination.

Delegate Warren seconded the nomination.

Delegate Kean moved that the nominations be closed, which motion was adopted.

And the roll was called with the following results:

<table>
<thead>
<tr>
<th>ROLL CALL VOTE</th>
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</thead>
<tbody>
<tr>
<td>FOR DELEGATE DENNERY</td>
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<tr>
<td>Delegates—</td>
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<tr>
<td>Alario</td>
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<tr>
<td>Alexander</td>
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<td>Anzaione</td>
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<td>Avani</td>
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<td>Beller</td>
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<td>Bergeron</td>
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<td>Blair</td>
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<td>Brien</td>
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<tr>
<td>Burson</td>
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<td>Carmouche</td>
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<tr>
<td>Casey</td>
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<td>Chelatein</td>
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<td>Chehardy</td>
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<td>Conino</td>
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<td>Conroy</td>
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<td>Cowen</td>
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<td>Cowen</td>
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<td>Derbes</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Edwards</td>
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<tr>
<td>Flory</td>
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<tr>
<td>Total—69.</td>
</tr>
</tbody>
</table>

FOR DELEGATE JENKINS

| Delegates—       |
| Aekerter         | Hayes          |
| Arnette          | Hernandez      |
| Badeaux          | Jack           |
| Bollinger        | Jenkins        |
| Brown            | Kean           |
| Burns            | Kelly          |
| Cannon           | Kilbourne      |
| Champagne        | Lambert        |
| Corne            | Landry, E. J.  |
| De Bleux         | Lanier         |
| Deshields        | LeBreton       |
| Drew             | Lowe           |
| Duval            | McDaniel       |
| Elkins           | Nunez          |
| Fayard           | O'Neill        |
| Fontenot         | Ours           |
| Fowler           | Perkins        |
| Pulco            | Perez          |
| Hardee           | Planchard      |
| Total—55.        |               |

NOT VOTING

| Delegates—       |
| Mr. Chairman     | Asseff         |
| Abraham          | Colten         |
| Armentor         | Guarisco       |
| Total—8.         |               |

Before the vote was announced, on the suggestion of Delegate Jenkins, all delegates voting otherwise changed their vote so as to vote for Delegate Dennery.

And the Chair declared Delegate Moise W. Dennery elected as Secretary.

The election of Treasurer was taken up at this time.

Delegate O'Neil placed in nomination the name of Delegate Ethan J. Chatelain.

Delegate Conroy placed in nomination the name of Delegate Herman "Monday" Lowe.

Delegate Womack seconded the nomination.

Delegate Flory seconded the nomination.

Delegate Planchard moved that the nominations be closed, which motion was adopted.

And the roll was called with the following results:

<table>
<thead>
<tr>
<th>ROLL CALL VOTE</th>
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</thead>
<tbody>
<tr>
<td>FOR DELEGATE CHATELAIN</td>
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<tr>
<td>Delegates—</td>
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<tr>
<td>Aekerter</td>
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<td>Alario</td>
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<tr>
<td>Alexander</td>
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<td>Avant</td>
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<td>Badeaux</td>
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<td>Bier</td>
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<td>Carnouche</td>
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<td>Chehardy</td>
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<td>Conino</td>
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<td>Cowen</td>
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<td>Derbes</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Edwards</td>
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<tr>
<td>Flory</td>
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<tr>
<td>Total—49.</td>
</tr>
</tbody>
</table>

FOR DELEGATE LOWE

| Delegates—       |
| Aekerter         | Guindry        |
| Alario           | Haynes         |
| Alexander        | Jackson, A.    |
| Avant            | Jenkins        |
| Badeaux          | Kean           |
| Bier             | Kelly          |
| Brown            | Kilbourne      |
| Cannon           | Landry, A.     |
| Champagne        | LeBreton       |
| Corne            | Lowe           |
| De Bleux         | McDaniel       |
| Deshields        | Nunez          |
| Drew             | O'Neill        |
| Dunlap           | Perkins        |
| Edwards          | Perez          |
| Elkins           | Planchard      |
| Flory            | Total—71.      |

NOT VOTING

| Delegates—       |
| Abraham          | Colten         |
| Armentor         | Dennery        |
| Asseff           | Guarisco       |
| Brown            | O'Neill        |
| Total—12.        |               |

Before the vote was announced on the suggestion of Delegate Chatelain, all delegates voting otherwise changed their votes so as to vote for Delegate Lowe.
Recess

On the motion of Delegate Kean, the Convention recessed for 30 minutes for the purpose of holding congressional caucuses to elect members to the Committee on Committees and the Executive Committee.

After Recess

Upon a call of the Convention the Chair announced there was a quorum present.

And the congressional caucuses reported to the Convention the election of the following delegates to the Executive Committee:

FIRST CONGRESSIONAL DISTRICT
Delegate Vesich
Delegate Nunez

SECOND CONGRESSIONAL DISTRICT
Delegate Alario, Jr.
Delegate Landrum, Jr.

THIRD CONGRESSIONAL DISTRICT
Delegate Segura
Delegate Chehardy

FOURTH CONGRESSIONAL DISTRICT
Delegate Drew
Delegate Fulco

FIFTH CONGRESSIONAL DISTRICT
Delegate Womack
Delegate Wall

SIXTH CONGRESSIONAL DISTRICT
Delegate Flory
Delegate Newton

SEVENTH CONGRESSIONAL DISTRICT
Delegate Cowen
Delegate Planchard

EIGHTH CONGRESSIONAL DISTRICT
Delegate Champagne
Delegate Martin

And the Chair declared the above delegates elected to the Executive Committee.

The Congressional Caucuses reported to the Convention the election of the following delegates to the Committee on Committees:

FIRST CONGRESSIONAL DISTRICT
Delegate Riecke
Delegate Burns

SECOND CONGRESSIONAL DISTRICT
Delegate Soniat
Delegate Toomy

THIRD CONGRESSIONAL DISTRICT
Delegate Lanier
Delegate D'Gerolamo

FOURTH CONGRESSIONAL DISTRICT
Delegate Fowler
Delegate Smith

FIFTH CONGRESSIONAL DISTRICT
Delegate Kilpatrick
Delegate Thompson

SIXTH CONGRESSIONAL DISTRICT
Delegate Anzalone
Delegate Wisham

SEVENTH CONGRESSIONAL DISTRICT
Delegate Deshotels
Delegate Willis

EIGHTH CONGRESSIONAL DISTRICT
Delegate Champagne
Delegate Martin

And the Chair declared the above delegates elected to the Committee on Committees.

Announcement of Committee Meetings

Executive Committee—Tuesday, January 23, 1973 at 10:00 A.M., State Capitol.

Committee on Committees—Wednesday, January 24, 1973 at 10:00 A.M., State Capitol

Leave of Absence

Abraham—½ day.

Adjournment

Delegate Womack moved that the Convention do now adjourn until Tuesday, January 30 at 4:00 o'clock, p.m.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Tuesday, January 30 at 4:00 o'clock p.m.

Prepared in accordance with the transcript and records of the Convention. Resolutions introduced on this day have been numbered by the Secretary in accordance with the order of the Convention.

MOISE W. DENNERY
Secretary

DAVID R. FOYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

EIGHTH DAY’S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 4:00 o’clock P.M.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered
to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aeriker
Alexander
Anzalone
Armentor
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chelatlin
Chehardy
Conino
Corcon
Coffin
D’Cerolamo
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler

Total—123.

ABSENT

Delegates—
Alaric
Arnold
Brown
Colten

Total—9.

The Chairman announced that there were 123 members
present and a quorum.

Prayer

Prayer was offered by Delegate Miller.

Pledge of Allegiance

Delegate De Blieux led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States
of America.

Reading of the Journal

On motion of Delegate De Blieux, the reading of the
Journal was dispensed with.

Morning Hour

Petitions, Memorials and
Communications

The following petitions, memorials and communications
were received and read:

State of Louisiana
SECRETARY OF STATE

January 5, 1973

Honorable Joe W. Sanders
Associate Justice, Supreme Court of Louisiana
Acting Chairman
Louisiana Constitutional Convention
Baton Rouge, Louisiana

Dear Judge Sanders:

Pursuant to the direction of the Louisiana Legislature
contained in House Concurrent Resolution No. 280 of the
1972 Regular Session, I am transmitting said Resolution to
be inscribed on the permanent records of the Constitutional
Convention.

With best wishes for a very successful convention, I am

Sincerely,

WADE O. MARTIN, JR.
Secretary of State

WOMjr/sg
Enclosure

HOUSE CONCURRENT RESOLUTION No. 280—

By Mr. Long (on behalf of the House Education Commit-
tee):

A CONCURRENT RESOLUTION

To express to the constitutional convention the desire of the
Legislature the the convention will provide, in the pro-
posed constitution which it adopts and sends to the people
for ratification, that the terms of office of the members
of the state board of education shall be staggered four-
year terms.

WHEREAS, the state board of education is the governing
board for the educational system of the state of Louisiana,
a department of government upon which each of the young
people of this state are in a real sense dependent for the
opportunities which their lives will afford; and

WHEREAS, it is important that this board be closely tied
to the people of the state and that it be directly responsible
and answerable to the people at such times and with such
frequency that the actions of the members of said board may
be supported with a vote of confidence or repudiated by a
negative vote; and

WHEREAS, the present terms of the members are of such
length as to make it difficult, if not impossible, for the
electorate to express their opinion of the actions of board
members at the polls, since the time which elapses between
actions taken in the earlier portions of a member’s term are
forgotten or contradicted by later action; and

WHEREAS, a term of four years for each member, with
vacancies occurring at such times as to assure that experi-
enced members will be included on the board at all times,
would permit the electorate to speak in a more meaningful
fashion on the actions of a member of the board by return-
ing him to office on the basis of his actions or defeating
him at the polls on the same basis if the voters find this
warranted.

THEREFORE, BE IT RESOLVED by the House of Rep-
resentatives of the Louisiana Legislature, the Senate thereof
concurring herein, that the Legislature of the state of Louisiana does hereby state its desire that the constitutional convention, to be convened in January of 1973, will provide in the constitution which it adopts and sends to the people for ratification, that the terms of the members of the state board of education shall be four year terms and that vacancies in the membership of such board shall occur each year, thus assuring that experienced members will always be included on the board.

BE IT FURTHER RESOLVED that a copy of this resolution shall be transmitted to the Secretary of State and by him transmitted to the constitutional convention on its first day of meeting with the intention that the receipt of and the contents of this resolution shall be inscribed on the permanent records of the constitutional convention.

REORGANIZATION OF LEVEE DISTRICTS
(Created by Act No. 387 of the 1972 Regular Session)

Report to the Constitutional Convention
called by Act No. 2 of the 1972 Regular Session
January 5, 1973

To: The Honorable Chairman and Members of the Constitutional Convention called by Act No. 2 of the 1972 Regular Session

Gentlemen and Ladies:

Act No. 387 of the 1972 Regular Session created the Joint Legislative Committee on the Reorganization of Levee Districts, to study and make recommendations to this Constitutional Convention relative to the manner and procedure by which the levee districts and levee and drainage districts and the board of commissioners thereof may be reorganized and operated.

Following extensive research and study, the committee reports and recommends as follows:

1. This is an interim report, to be followed by a more detailed report which will be submitted to the Constitutional Convention at a later date.

2. The committee recommends that no levee district be accorded Constitutional status, such as is presently granted to the Orleans and Pontchartrain levee districts. In this connection, the committee recognizes that the Constitution now provides protection to the bondholders of those outstanding bonds which have been issued by these two districts, and it is necessary that continued protection be granted to all such bondholders. On the other hand, the committee is of the opinion that the full faith and credit of the state could be placed behind the bonds by simple legislative Act, rather than by placing a provision in the new Constitution.

3. The committee is continuing its study as to the legislative changes which should be made and its report on same will be issued at a later date. The committee urges the Convention also to study this area. The extensive files of the committee are located in the offices of the Legislative Council, and will be made available to the Convention upon request at any time.

Respectfully submitted,

F. E. "HANK" LAURICELLA
Senator F. E. Lauricella, Chairman

Introduction of Resolutions
Delegate and Committee Resolution

The following delegates and Chairman on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 17—
Introduced by Delegates Abraham, Brien, Champagne, Chatelain, Conroy, Derbes, J. Jackson, Juneau, Landrum, Lanier, Miller, Newton, O'Neill, Reeves, Taylor, Tobias, Triche, Weiss and Zervigon:

WHEREAS, it is the desire of all delegates to the Constitutional Convention of 1973 that all Citizens of the State of Louisiana participate in the drafting of a new Constitution for the State of Louisiana; and

WHEREAS, the participation and support of all Citizens of the State of Louisiana is necessary and desirable in all stages of the drafting and ratification of a new Constitution for the State of Louisiana.

NOW, THEREFORE BE IT RESOLVED that the delegates of the Constitutional Convention of 1973, individually and jointly, request that each Citizen of the State of Louisiana communicate with any or all delegates to the Constitutional Convention of 1973 advising what he, she or they think a new Constitution for the State of Louisiana should provide.

BE IT FURTHER RESOLVED that each Citizen of the State of Louisiana is extended an invitation by the delegates of the Constitutional Convention of 1973 to testify, either in writing or orally, before any appropriate Committee of the Constitutional Convention of 1973 regarding what he, she or they think a new Constitution for the State of Louisiana should provide.

Read.

On motion of Delegate Tobias the rules were suspended for the purpose of considering the adoption of the Resolution at this time.

On motion of Delegate Tobias the resolution was adopted.

Delegate Tobias moved to reconsider the vote by which the above resolution was adopted and on his own motion that motion was laid on the table.

DELEGATE RESOLUTION No. 18—
Introduced by Delegate Dennis:

A RESOLUTION
To create and establish a composite committee to hold public hearings with respect to matters with which the Louisiana Constitutional Convention of 1973 is concerned.

WHEREAS, a state constitution as any constitution represents the most basic legal foundation of a people out of which all order and harmony originates; and

WHEREAS, a constitution, being a document of the people, must as closely as possible reflect the thoughts and ideas of its people if it is to be flexible and viable; and

WHEREAS, in order to ensure that the work of this Convention be a document of and for all the citizens of this state an appropriate number of public hearings should be held at which public views on particular vital issues might be determined; and

WHEREAS, such public hearings would provide a forum through which the sagest decisions on constitutional matters might be arrived at by the delegates to the Convention; and

WHEREAS, public hearings would also provide the public with a closer view of the Convention and a more intimate contact with the making of decisions by the delegates.

THEREFORE, BE IT RESOLVED that this Constitutional Convention does hereby authorize its Executive Committee to appoint one member from each of the substantive and procedural committees of this Convention to serve as a composite committee which shall hold public hearings on matters with which the convention is concerned.

BE IT FURTHER RESOLVED that the Executive Committee shall determine the time, place and dates for meetings of the composite committee herein authorized.

Read.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read.

Delegate Henry, chairman, on behalf of the Committee on Committees, submitted the following report:

Constitutional Convention
State Capitol
State of Louisiana

January 30, 1972, Baton Rouge, La.

To the Chairman and Delegates to the Convention:
I am directed by your Committee on Committees to submit the following report:

In accordance with Rule No. 51 of the Rules of Procedure of the Constitutional Convention of 1973 the following delegates have been appointed to the following committees:

COMMITTEE ON NATURAL RESOURCES AND ENVIRONMENT

1. Bollinger
2. Derbes
3. Elkins
4. Guidry
5. Hardee
6. Jack
7. LeBlu
8. Leigh
9. Lambert
10. Miller
11. Munson
12. Perkins
13. Singletary
14. Thompson
15. Velazquez
16. Warren
17. Womack

COMMITTEE ON EDUCATION AND WELFARE

1. Armentor
2. Aetker
3. Carmouche
4. Corne
5. Cowen
6. Flory
7. Grier
8. Haynes
9. Hernandez
10. E. J. Landry
11. Leithman
12. Lennox
13. Rachal
14. Riecke
15. Robinson
16. Segura
17. Silverberg
18. Sutherland
19. Thistlethwaite
20. Toca
21. Wisham

COMMITTEE ON REVENUE, FINANCE AND TAXATION

1. Alario
2. Badeaux
3. Brown
4. Champagne
5. Chehardy
6. Conroy
7. De Blieu
8. Edwards
9. Fontenot
10. Lowe
11. McDaniel
12. Mauberret
13. Mire
14. Newton
15. Nunez
16. Planchard
17. Rayburn
18. Reemer
19. Schmitt
20. Slav
21. Smith
22. Triche
23. Winchester

COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT

1. Burson
2. Cannon
3. Chatelain
4. Colton
5. Conino
6. D’Gerolamo
7. Fowler
8. Giarrusso
9. Hayes
10. J. Jackson
11. Lanier
12. Keen
13. Perez
14. Reeves
15. Shannon
16. S’Stephenson
17. Taylor
18. Toomy
19. Ullo
20. Zervigon

COMMITTEE ON JUDICIARY

1. Avant
2. Bel
3. Bergeron
4. Burns
5. Dennis
6. Deshotels
7. Drew
8. Gauthier
9. Kelly
10. Kilbourne
11. A. Landry
12. Martin
13. Ours
14. Sandoz
15. Tate
16. Tobias
17. Vesich
18. Willis

COMMITTEE ON LEGISLATIVE POWERS AND FUNCTIONS

1. Asseff
2. Blair
3. Casey
4. Fayard
5. Fulco
6. Ginn
7. Juneau
8. Landrum
9. LeBreton
10. Kilpatrick
11. O’Neill

COMMITTEE ON EXECUTIVE DEPARTMENT

1. Abraham
2. Alexander
3. Anzalone
4. Arnette
5. Brien
6. Dennery
7. Duval
8. Gravel
9. Stagg
10. Stovall
11. Tapper

COMMITTEE ON BILL OF RIGHTS AND ELECTIONS

1. Dunlap
2. Guarisco
3. Jenkins
4. A. Jackson
5. Roy
6. Soniat
7. Stinson
8. Vick
9. Wall
10. Weiss
DELEGATE RESOLUTION No. 19—
Introduced by Mr. Dennery:
A RESOLUTION
To authorize the Executive Committee of the Louisiana Constitutional Convention to utilize the Division of Administration in purchasing and procuring supplies, equipment and printing for the convention and to provide that the provisions of law relative to the letting of public contracts shall be applicable to the purchase or procurement of supplies, equipment or printing by the convention.
BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that the Executive Committee of the Constitutional Convention is hereby authorized to utilize the personnel and the bidding, purchasing and procurement procedures and services of the Division of Administration in the purchase or procurement of supplies, equipment and printing for the Constitutional Convention.
BE IT FURTHER RESOLVED that the provisions of Part II of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, relative to the letting of public contracts, shall be applicable to the purchase or procurement of supplies, equipment or printing by the Louisiana Constitutional Convention and that the Executive Committee of the Convention shall, and is hereby directed to, comply with such provisions of law in making such purchases or procuring such items for the convention.

Read.

On motion of Delegate Dennery, the Rules were suspended for the purpose of considering the adoption of the Resolution at this time.

Delegate Dennery moved the adoption of the Resolution.
Delegate Triche moved, as a substitute, that the Resolution be referred to the Executive Committee.

Delegate Dennery objected.

By a vote of 41 yeas and 67 nays, the Convention refused to refer the Resolution to the Executive Committee.

The vote then recurred on Delegate Dennery's motion for the adoption of the Resolution.

And the Resolution was adopted, viva voce.

Announcements
Delegate Lowe, the Convention Treasurer, then presented the following financial report:

CONSTITUTIONAL CONVENTION, 1973
FINANCIAL FIGURES
(TO BE USED ONLY AS A POINT OF DEPARTURE FOR ESTABLISHING A FINAL DRAFT OF A BUDGET)

CONSTITUTIONAL CONVENTION, 1973
Summary of Attendance at Meetings
January 5, 1973 through January 29, 1973

Number of Delegates

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting</th>
<th>Total</th>
<th>Present</th>
<th>Absent</th>
<th>% Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/5</td>
<td>Convention</td>
<td>122</td>
<td>122</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>1/6</td>
<td>Temporary Rules Committee</td>
<td>17</td>
<td>17</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>1/7</td>
<td>Temporary Rules Committee</td>
<td>17</td>
<td>17</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>1/8</td>
<td>Temporary Rules Committee</td>
<td>17</td>
<td>17</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>1/12</td>
<td>Convention</td>
<td>132</td>
<td>129</td>
<td>3</td>
<td>97.73%</td>
</tr>
<tr>
<td>1/13</td>
<td>Convention</td>
<td>132</td>
<td>130</td>
<td>2</td>
<td>98.49%</td>
</tr>
<tr>
<td>1/14</td>
<td>Convention</td>
<td>132</td>
<td>128</td>
<td>4</td>
<td>96.97%</td>
</tr>
<tr>
<td>1/17</td>
<td>Convention</td>
<td>132</td>
<td>130</td>
<td>2</td>
<td>98.49%</td>
</tr>
<tr>
<td>1/18</td>
<td>Convention</td>
<td>132</td>
<td>130</td>
<td>2</td>
<td>98.49%</td>
</tr>
<tr>
<td>1/19</td>
<td>Convention</td>
<td>132</td>
<td>131</td>
<td>1</td>
<td>99.24%</td>
</tr>
<tr>
<td>1/22</td>
<td>Executive Committee</td>
<td>23</td>
<td>22</td>
<td>1</td>
<td>95.65%</td>
</tr>
<tr>
<td>1/24</td>
<td>Committee on Committees</td>
<td>17</td>
<td>17</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>1/25</td>
<td>Executive Committee</td>
<td>23</td>
<td>20</td>
<td>3</td>
<td>86.96%</td>
</tr>
<tr>
<td>1/26</td>
<td>Committee on Committees</td>
<td>17</td>
<td>17</td>
<td>0</td>
<td>100.00%</td>
</tr>
<tr>
<td>1/29</td>
<td>Executive Board—Sub Committees</td>
<td>7</td>
<td>7</td>
<td>0</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

TOTALS
1,085   1,067   18    98.34%
**8th Days Proceedings—January 30, 1973**

Number of meetings attended by Chairman Henry for which no per diem was charged 12

Total attendance subject to per diem for delegates 1,055

Per diem rate per day for no more than one meeting per day $50.00

Total delegate per diem January 5, 1973 through January 29, 1973 $32,750.00

Number of meetings January 5, 1973 through January 29, 1973 16

**Meeting**

<table>
<thead>
<tr>
<th>Convention</th>
<th>Temporary Rules Committee</th>
<th>Executive Committee</th>
<th>Executive Committee—Sub Committees</th>
<th>Committee on Committees</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>3</td>
<td>3</td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

TOTAL 16

**CONSTITUTIONAL CONVENTION, 1973**

Estimated Expenses To Date Through January 29, 1973

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>White House Inn</td>
<td>$1,120</td>
</tr>
<tr>
<td>Room Rent—5 days</td>
<td>$695</td>
</tr>
<tr>
<td>Bellemont Motor Hotel Room Rent—1 day</td>
<td>$80</td>
</tr>
<tr>
<td>Coffee</td>
<td>$102</td>
</tr>
<tr>
<td>Copy machine paper &amp; toner—A. B. Dick</td>
<td>157</td>
</tr>
<tr>
<td>Stationery—Lalit Stationery Co., Inc</td>
<td>96</td>
</tr>
<tr>
<td>Secretary of State</td>
<td>279</td>
</tr>
<tr>
<td>Gulf South Research Institute</td>
<td>19,566</td>
</tr>
<tr>
<td>Convention Meetings—Per Diem—Note A</td>
<td>903</td>
</tr>
<tr>
<td>903 delegates in attendance at 7 meetings</td>
<td>45,150</td>
</tr>
<tr>
<td>Committee Meetings—Per Diem—Note A</td>
<td>2,550</td>
</tr>
<tr>
<td>Temporary Rules Committee (51)</td>
<td>3,450</td>
</tr>
<tr>
<td>Executive Committee (69)</td>
<td>1,600</td>
</tr>
<tr>
<td>Committee on Committees (32)</td>
<td>3,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>7,600</td>
</tr>
</tbody>
</table>

Louisiana State University

Reimbursement for out of pocket costs for setting up and cleaning Assembly Center, January 5, 1973 671

Printing—State of La.—Division of Administration 3

TOTAL $75,521

Note—A—Does not include any costs to cover assistant clerks, Sergeant at Arms and Assistants, Pages and Contingencies.

**CONSTITUTIONAL CONVENTION, 1973**

Projected Estimated Costs—Convention and Committee Meetings (excluding travel allowance and providing for 100% attendance)

(To be used only as a point of departure for establishing a final draft of a budget)

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Committee</td>
<td></td>
</tr>
<tr>
<td>23 members @ $50 ea.</td>
<td>$1,150</td>
</tr>
<tr>
<td>1 Assistant Sergeant at Arms</td>
<td>30</td>
</tr>
<tr>
<td>1 Page</td>
<td>15</td>
</tr>
<tr>
<td>Contingencies</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL—1 meeting</td>
<td>$1,150</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Substantive Committee</td>
<td></td>
</tr>
<tr>
<td>16 members @ $50 ea.</td>
<td>$800</td>
</tr>
<tr>
<td>1 Assistant Sergeant at Arms</td>
<td>30</td>
</tr>
<tr>
<td>1 Page</td>
<td>15</td>
</tr>
<tr>
<td>Contingencies</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL—1 meeting</td>
<td>$800</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procedural Committee</td>
<td></td>
</tr>
<tr>
<td>16 members @ $50 ea.</td>
<td>$800</td>
</tr>
<tr>
<td>1 Assistant Sergeant at Arms</td>
<td>30</td>
</tr>
<tr>
<td>1 Page</td>
<td>15</td>
</tr>
<tr>
<td>Contingencies</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL—1 meeting</td>
<td>$800</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convention</td>
<td></td>
</tr>
<tr>
<td>132 Delegates @ $50 ea.</td>
<td>$6,600</td>
</tr>
<tr>
<td>1 Sergeant at Arms @ $50</td>
<td>50</td>
</tr>
<tr>
<td>5 Assistant Sergeant at Arms @ $30 ea.</td>
<td>150</td>
</tr>
<tr>
<td>8 Pages @ $15 ea.</td>
<td>120</td>
</tr>
<tr>
<td>Rental of Meeting Room</td>
<td>200</td>
</tr>
<tr>
<td>Coffee</td>
<td>75</td>
</tr>
<tr>
<td>Copy Machine</td>
<td>55</td>
</tr>
<tr>
<td>Contingencies</td>
<td>1,000</td>
</tr>
<tr>
<td>TOTAL—1 meeting</td>
<td>$8,245</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Item</th>
<th>Estimated Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Committee on Committees</td>
<td></td>
</tr>
<tr>
<td>16 members @ $50 ea.</td>
<td>$800</td>
</tr>
<tr>
<td>1 Assistant Sergeant at Arms</td>
<td>30</td>
</tr>
<tr>
<td>1 Page</td>
<td>15</td>
</tr>
<tr>
<td>Contingencies</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL—1 meeting</td>
<td>$800</td>
</tr>
</tbody>
</table>

**CONSTITUTIONAL CONVENTION, 1973**

Projected Estimated Expenses by Months
January 3, 1973 through December 31, 1973

To be used only as a point of departure for establishing a final draft of a budget

Estimated Expenses

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td></td>
</tr>
<tr>
<td>Chairman—Henry</td>
<td></td>
</tr>
<tr>
<td>Chief Clerk—Poynter</td>
<td></td>
</tr>
<tr>
<td>Assistant Clerks</td>
<td>12,000</td>
</tr>
<tr>
<td>Research Director</td>
<td>22,000</td>
</tr>
<tr>
<td>Assistant Research Directors</td>
<td>14 at $1,000 a month each</td>
</tr>
<tr>
<td>Clerical</td>
<td></td>
</tr>
<tr>
<td>20 at $500 month each</td>
<td>110,000</td>
</tr>
<tr>
<td>Accountant</td>
<td>11,000</td>
</tr>
<tr>
<td>Contingencies</td>
<td>22,900</td>
</tr>
<tr>
<td>Attorney-Specialist in Federal</td>
<td>24,000</td>
</tr>
<tr>
<td>Constitution</td>
<td></td>
</tr>
<tr>
<td>TOTAL Salaries</td>
<td>$355,000</td>
</tr>
<tr>
<td>Staff Retirement and/or Social</td>
<td></td>
</tr>
<tr>
<td>Security</td>
<td>35,500</td>
</tr>
<tr>
<td>Staff Travel Allowance</td>
<td>11,500</td>
</tr>
<tr>
<td>Meetings</td>
<td></td>
</tr>
<tr>
<td>Executive Committee</td>
<td>67,340</td>
</tr>
<tr>
<td>Substantive Committees</td>
<td>370,440</td>
</tr>
<tr>
<td>Procedural Committees</td>
<td>257,040</td>
</tr>
<tr>
<td>Convention</td>
<td>659,000</td>
</tr>
<tr>
<td>Interim Committees</td>
<td>45,360</td>
</tr>
<tr>
<td>TOTAL Meetings</td>
<td>$1,399,780</td>
</tr>
<tr>
<td>Delegates travel Allowance</td>
<td>158,400</td>
</tr>
<tr>
<td>Delegates Retirement and/or Social Security 6%</td>
<td>83,960</td>
</tr>
<tr>
<td>Public Information</td>
<td>40,000</td>
</tr>
<tr>
<td>Committee T.V. Rental</td>
<td>10,000</td>
</tr>
<tr>
<td>Office Equipment Rental</td>
<td>22,500</td>
</tr>
<tr>
<td>Stationery, printing, &amp; office</td>
<td>22,500</td>
</tr>
<tr>
<td>supplies</td>
<td>95,000</td>
</tr>
<tr>
<td>Daily Journal</td>
<td>25,000</td>
</tr>
<tr>
<td>Electronic voting system</td>
<td></td>
</tr>
<tr>
<td>Contingencies</td>
<td>25,000</td>
</tr>
<tr>
<td>TOTAL Estimated Expenses</td>
<td>$2,292,640</td>
</tr>
<tr>
<td>TOTAL Expenses Year to Date</td>
<td></td>
</tr>
</tbody>
</table>

Estimated Number of Committee Meetings

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Committee</td>
<td>52</td>
</tr>
<tr>
<td>Substantive Committees</td>
<td>392</td>
</tr>
<tr>
<td>Procedural Committees</td>
<td>272</td>
</tr>
<tr>
<td>Convention</td>
<td>80</td>
</tr>
<tr>
<td>Interim Committees</td>
<td>48</td>
</tr>
</tbody>
</table>
## CONSTITUTIONAL CONVENTION, 1973

### Projected Estimated Expenses by Month

January 3, 1973 through December 31, 1973

(To be used only as a point of departure for establishing a final draft of a budget)

<table>
<thead>
<tr>
<th>Estimated Expenses</th>
<th>January</th>
<th>February</th>
<th>March</th>
<th>April</th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>August</th>
<th>September</th>
<th>October</th>
<th>November</th>
<th>December</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Salaries</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chairman—Henry</td>
<td>$</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chief Clerk—Populater</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assistant Clerks</td>
<td>1,000.00</td>
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<tr>
<td>Research Director</td>
<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
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<td>2,000.00</td>
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<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
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<tr>
<td>Research Directors</td>
<td>14 @ $1,000.00</td>
<td>14 @ $1,000.00</td>
<td>14 @ $1,000.00</td>
<td>14 @ $1,000.00</td>
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<td>14 @ $1,000.00</td>
<td>14 @ $1,000.00</td>
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<tr>
<td>Clerical—20 @ $350.00 ea.</td>
<td>10,000.00</td>
<td>10,000.00</td>
<td>10,000.00</td>
<td>10,000.00</td>
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<td>10,000.00</td>
</tr>
<tr>
<td>Accountant</td>
<td>1,000.00</td>
<td>1,000.00</td>
<td>1,000.00</td>
<td>1,000.00</td>
<td>1,000.00</td>
<td>1,000.00</td>
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<td>1,000.00</td>
<td>1,000.00</td>
<td>1,000.00</td>
</tr>
<tr>
<td>Contingencies</td>
<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
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<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
<td>2,000.00</td>
</tr>
<tr>
<td>Attorney—Specialist in Federal Constitution</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
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<td>0.00</td>
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<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**TOTAL SALARIES**

$1,060.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00 $30,000.00

| **Staff Retirement and/or Social Security** | $100.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 |
| **Staff Travel Allowance** | $100.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 | $3,000.00 |

### Meetings

- Executive Committee @ $1295.00 ea.
- Substantive Committees @ $400.00 ea.
- Procedural Committee @ $400.00 ea.
- Convenor @ $1,250.00 ea.
- Interim Committees @ $450.00 ea.

**Total Meetings**

$90,000.00 $79,500.00 $79,500.00 $79,500.00 $79,500.00 $79,500.00 $151,965.00 $151,965.00 $151,965.00 $151,965.00 $151,965.00 $151,965.00

- Delegates Travel Allowance
- Delegates Retirement and/or Social Security
- Public Information
- Committee T.V. Rental
- Office Expenses Rental
- Stationary, Printing & Office Supplies
- Daily Journal
- Electric Voting System
- Contingencies

**Total Estimated Expenses**

$138,742.00 $143,500.00 $143,500.00 $143,500.00 $146,800.00 $146,800.00 $233,583.00 $233,583.00 $237,583.00 $237,583.00 $240,583.00 $247,583.00

**Total Expense Year to Date**

$138,742.00 $182,352.00 $235,862.00 $359,422.00 $1,716,282.00 $868,145.00 $1,092,725.00 $1,330,308.00 $1,567,891.00 $1,805,471.00 $2,046,057.00 $2,389,640.00

### Estimated Number of Committee Meetings by month:

- Executive Committee: 14
- Substantive Committees: 14
- Procedural Committees: 14
- Convention: 14
- Interim Committees: 14

**PAGE 6**

8th Days Proceedings—January 30, 1973
CONSTITUTIONAL CONVENTION, 1973

Notes to Projected Estimated Expenses

1. Per diem based upon 100% attendance.
2. Includes arbitrary contingency figures.
3. Assumed that verbatim transcripts can be handled by regular clerical staff. Illinois budgeted $10,000.00 for this purpose but expended $61,815.00. Michigan expended $85,000.00 for a verbatim record.
4. Does not include an amount for electronic voting equipment. The 1961-62 Michigan Constitutional Convention experienced a cost of $25,000.00 for electronic voting equipment.
5. Does not include an amount for postage for general convention business or any allowance for postage for committees or delegates. Illinois allowed each delegate a postage allowance of $120.00. Such an arrangement in CC/73 would amount to $15,040.00.
6. Does not include an amount for operation and use of microphones, sound equipment and recording equipment as cost of supplies in connection therewith.
7. Does not include an amount for a referendum election which is estimated to cost approximately $1,000,000.00. This is considered a decision of the Executive Department and not subject to budgeting by CC/73.
8. An amount of $1,000.00 to publish the daily journal of each Convention meeting has been budgeted. Michigan expended $101,905.00 for printing their journal.
9. No provision has been made for telephone toll calls.
10. The number of meetings will have a profound effect on either increasing or decreasing the cost of CC/73.
11. Does not include the value of goods or services contributed or to be contributed by other governmental departments of the State of Louisiana.
12. A full month’s salary for all staff members has been budgeted for the month of February, 1973 but at this date it seems apparent that the majority of the staff will not commence work until sometime after February 1, 1973.

COMPARISON OF PROJECTED ESTIMATED EXPENSES AS PROBABLY CONTEMPLATED BY THE 1972 LOUISIANA LEGISLATURE AND CONSTITUTIONAL CONVENTION, 1973

January 5, 1973 through May 31, 1973

<table>
<thead>
<tr>
<th>Item:</th>
<th>72 Legis. C/C ’73</th>
<th>CC-73</th>
<th>Projected Estimated Expenses as Probably Contemplated by the 1972 Louisiana Legislature</th>
<th>Over</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Salaries</td>
<td>$124,000</td>
<td>$124,000</td>
<td>$</td>
<td></td>
</tr>
<tr>
<td>Staff Retirement and/or Social Security</td>
<td>12,400</td>
<td>12,400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff Travel Allowances</td>
<td>4,000</td>
<td>4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegate Meetings</td>
<td>143,800</td>
<td>408,400</td>
<td>264,600</td>
<td></td>
</tr>
<tr>
<td>Delegate Travel Allowance</td>
<td>66,000</td>
<td>66,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegate Retirement and/or Social Security</td>
<td>7,272</td>
<td>24,482</td>
<td>17,210</td>
<td></td>
</tr>
<tr>
<td>Public Information</td>
<td>4,000</td>
<td>4,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Committee Television Rental</td>
<td>8,000</td>
<td>8,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office Equipment Rental</td>
<td>8,500</td>
<td>8,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stationery, Printing and Office Supplies</td>
<td>8,500</td>
<td>8,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daily Journal</td>
<td>8,000</td>
<td>8,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electronic Voting System</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contingencies</td>
<td>33,228</td>
<td>40,000</td>
<td>6,772</td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td>$390,000</td>
<td>$716,282</td>
<td>$326,282</td>
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</tbody>
</table>

Summary of Committee Meetings probably contemplated by the 1972 Louisiana Legislature:

<table>
<thead>
<tr>
<th>Month</th>
<th>Substantive Committees</th>
<th>Procedural Committees</th>
<th>Interim Committees</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>$45,360</td>
<td>$17,010</td>
<td>$3,780</td>
<td>$66,150</td>
</tr>
<tr>
<td>March</td>
<td>$45,360</td>
<td>$17,010</td>
<td>$3,780</td>
<td>$66,150</td>
</tr>
<tr>
<td>April</td>
<td>$45,360</td>
<td>$17,010</td>
<td>$3,780</td>
<td>$66,150</td>
</tr>
<tr>
<td>May</td>
<td>$45,360</td>
<td>$17,010</td>
<td>$3,780</td>
<td>$66,150</td>
</tr>
<tr>
<td>TOTALS</td>
<td>$181,440</td>
<td>$68,040</td>
<td>$15,120</td>
<td>$264,600</td>
</tr>
</tbody>
</table>

Note: Constitutional Convention, 1973 should consider disbursing funds in accordance with the manner in which the 1972 Louisiana Legislature probably contemplated expenses would occur.

CONSTITUTIONAL CONVENTION, 1973

Reconciliation of Estimated Expenses to Date to Projected Estimated Expenses

For the Month of January, 1973

<table>
<thead>
<tr>
<th>Item:</th>
<th>Amount Projected Estimated Expenses</th>
<th>Date</th>
<th>TOTALS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant Clerk</td>
<td>$1,000.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff retirement and/or social security</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTALS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meetings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Per estimated expenses—budget</td>
<td>$90,040.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Per estimated cost—to date</td>
<td>55,575.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Difference</td>
<td>$34,465.00</td>
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<td></td>
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<tr>
<td>TOTALS</td>
<td></td>
<td></td>
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<tr>
<td>Delegates travel allowance</td>
<td>13,200.00</td>
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<tr>
<td>Delegates retirement and/or social security</td>
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<tr>
<td>Office equipment rental</td>
<td>500.00</td>
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<td></td>
</tr>
<tr>
<td>Stationery, printing &amp; office supplies</td>
<td>122.00</td>
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<td></td>
</tr>
<tr>
<td>Daily journal</td>
<td>8,000.00</td>
<td></td>
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</tr>
<tr>
<td>Contingencies—GSRI</td>
<td>432.00</td>
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</tr>
<tr>
<td>TOTALS</td>
<td>$63,221.00</td>
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</tr>
<tr>
<td>Estimated expenses to date</td>
<td>75,521.00</td>
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</tr>
<tr>
<td>Total per projected estimated expenses</td>
<td>$138,742.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Leave of Absence

Gauthier—1 day.
Colten—1½ day.

Adjournment

Delegate Kilpatrick moved that the Convention do now adjourn until Wednesday, January 31, 1973 at 9:30 o’clock, a.m. Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, January 31, 1973 at 9:30 o’clock, a.m.

Prepared in accordance with the transcript and records of the Convention. Resolutions introduced on this day have been numbered by the Secretary in accordance with the order of the Convention.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

NINTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 9:30 o'clock a.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered
their names:

Delegates—
Mr. Chairman—Fontenot
Mr. Abraham—Fulco
Mr. Acker—Garrusso
Mr. Alario—Ginn
Mr. Alexander—Gravel
Mr. Anzalone—Grier
Mr. Armentor—Guarisco
Mr. Arnette—Guidy
Mr. Assaf—Harder
Mr. Avant—Hayes
Mr. Badeaux—Haynes
Mr. Bel—Hernandez
Mr. Bergeron—Jack
Mr. Blair—Jackson, A.
Mr. Bollinger—Jackson, J.
Mr. Brien—Jenkins
Mr. Burns—Juneau
Mr. Burron—Kean
Mr. Cann—Kerry
Mr. Carmouche—Kilbourne
Mr. Casey—Kilpatrick
Mr. Champagne—Lambert
Mr. Chatelain—Landrum
Mr. Chehardy—Landry, A.
Mr. Colten—Landry, E. J.
Mr. Conino—Lanier
Mr. Conroy—LeBlanc
Mr. Corne—LeBreton
Mr. Cowen—Leigh
Mr. De Blieux—LeLthman
Mr. D'Gerolamo—Lennox
Mr. Denney—Lowe
Mr. Dennis—Martin
Mr. Derbes—Mauberret
Mr. Deshotels—Miller
Mr. Drew—Mire
Mr. Dunlap—Monson
Mr. Duval—Nunez
Mr. Edwards—O'Nell
Mr.Elfkins—Oursou
Mr. Fayard—Perez
Mr. Floir—Perkins

Total—125.

Delegates—
Mr. Brown—McDaniel
Mr. Fowler—Newton
Mr. Gauthier—Trieche

Total—7.

The Chairman announced that there were 125 members
present and a quorum.

Prayer

Prayer was offered by Delegate Burns.

Pledge of Allegiance

Delegate Toomy led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Leithman, the reading of the
Journal was dispensed with.

Morning Hour

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolu-
tions on second reading to be referred to Committees were
taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 18—

Introduced by Delegate Dennis:

A RESOLUTION

To create and establish a composite committee to hold
public hearings with respect to matters with which the
Louisiana Constitutional Convention of 1973 is con-
cerned

WHEREAS, a state constitution as any constitution repre-
sents the most basic legal foundation of a people out of
which all order and harmony originates; and

WHEREAS, a constitution, being a document of the people,
must as closely as possible reflect the thoughts and ideas of
its people if it is to be flexible and viable; and

WHEREAS, in order to ensure that the work of this
Convention be a document of and for all the citizens of this
state an appropriate number of public hearings should be
held at which public views on particular vital issues might
be determined; and

WHEREAS, such public hearings would provide a forum
through which the highest decisions on constitutional matters
might be arrived at by the delegates to the Convention; and

WHEREAS, public hearings would also provide the public
with a closer view of the progress of the Convention and a
more intimate contact with the making of decisions by the
delegates.

THEREFORE, BE IT RESOLVED

that this Constitutional Convention does hereby authorize its Executive Committee to
appoint one member from each of the substantive and
procedural committees of this Convention to serve as a
composite committee which shall hold public hearings on
matters with which the Convention is concerned.

BE IT FURTHER RESOLVED

that the Executive Committee shall determine the time, place and dates for meet-
ings of the composite committee herein authorized.

Read.

On motion of Delegate Dennis, the Rules were suspended
for the purpose of considering the adoption of the Resolu-
tion at this time.

On motion of Delegate Dennis the Resolution was adopted.

Recess

The Convention recessed at this time for the purpose of
allowing the substantive committees of the Convention to
organize and elect officers as provided by the Rules of the
Convention.

After Recess

Upon a call of the House, the Chair announced there was a
quorum present.

The following Committees reported the election of the
following named delegates as officers of said committees:

COMMITTEE ON BILL OF RIGHTS AND ELECTIONS

Delegate Jackson—Chairman
Delegate Dunlap—First Vice-Chairman
Delegate Guarisco—Second Vice-Chairman
Delegate Aertker—Chairman
Delegate Rachal—Vice-Chairman
Delegate Sutherland—Secretary

COMMITTEE ON THE EXECUTIVE DEPARTMENT
Delegate Stagg—Chairman
Delegate Tapper—Vice-Chairman
Delegate Brown—Secretary

COMMITTEE ON THE JUDICIARY
Delegate Dennis—Chairman
Delegate A. Landry—Vice-Chairman
Delegate Bergeron—Secretary

COMMITTEE ON LEGISLATIVE POWERS AND FUNCTIONS
Delegate Blair—Chairman
Delegate Fayard—Vice-Chairman
Delegate O’Neill—Secretary

COMMITTEE ON LOCAL AND PAROCHIAL GOVERNMENT
Delegate Perez—Chairman
Delegate Burson—Vice-Chairman
Delegate Reeves—Vice-Chairman
Delegate Conino—Vice-Chairman
Delegate J. Jackson—Vice-Chairman
Delegate Kean—Secretary

COMMITTEE ON NATURAL RESOURCES
Delegate Lambert—Chairman
Delegate Munson—Vice-Chairman
Delegate Singletary—Secretary

COMMITTEE ON REVENUE, FINANCE AND TAXATION
Delegate Rayburn—Chairman
Delegate Edwards—Vice-Chairman
Delegate Roemer—Secretary

Motion

On motion of Delegate Stovall, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions

Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

COMMITTEE RESOLUTION No. 2—
Introduced by Delegate Stovall on behalf of the Committee on Rules, Credentials and Ethics:

RULES COMMITTEE RESOLUTION

Before lobbying for defeat or passage of proposals before the Convention, its committees, sub-committees or delegates, a lobbyist shall submit a registration statement setting forth his or her name and address, the name and address of the person or entity by whom the lobbyist is employed and the name and address of the person or entity whose interest the lobbyist represents.

A lobbyist is any person who is the representative for compensation of any person, or any partnership, committee, association, corporation or any organization to advocate passage or defeat of proposals of the convention, its committees, sub-committees or delegates.

This rule shall not apply to public officials advocating matters directly affecting their office or the bodies they represent. However, this rule shall apply to public officials when they are not acting within this capacity.

Registration of lobbyists shall be by oath or affirmation before an officer authorized by the convention to administer oaths, or before the chairman of any committee or sub-committee.

Whenever there occurs a change in the facts stated in the registration statement, the lobbyist shall file a revised statement. The Secretary of the Convention shall maintain for inspection by the public and by the delegates of this Convention, a list of all lobbyist and their affiliations.

Any person who has commenced the activities of a lobbyist without prior registration as herein required shall, upon resolution of a delegate, the committees or sub-committees of the Convention, be denied the privilege of addressing that representative delegate, committee or sub-committee. Any lobbyist who has falsified his or her registration statement shall be reported to the Executive Committee, and upon resolution of that committee, referred to an appropriate law enforcement officer or other action.

Read.

On motion of Delegate Stovall the Rules were suspended for the purpose of considering the adoption of the Resolution at this time.

On motion of Delegate Stovall the Resolution was withdrawn from the files of the Convention.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:
I submit the following report:

That the following entitled Delegate Resolutions having been finally adopted by the Convention have been properly enrolled in final form:

DELEGATE RESOLUTION No. 2—
By Messrs. Junesu and Fayard:

A RESOLUTION

Mr. Chairman, we move that the Convention adopt the following resolution:
BE IT RESOLVED that a Temporary Committee on Rules and Resolutions be established for the purpose of preparing a proposed set of rules to be submitted to the Convention for its consideration.
BE IT FURTHER RESOLVED that the Temporary Committee on Rules and Resolutions be composed of 17 members, two from each of the eight Congressional Districts and one member to be elected by the Convention delegates as a whole who shall serve as Chairman of the Temporary Committee on Rules and Resolutions.
BE IT FURTHER RESOLVED that the election of the Chairman of the Temporary Committee on Rules and Resolutions be held as the next order of business of this Convention.
BE IT FURTHER RESOLVED that immediately after the election of the Chairman of the Temporary Committee on Rules and Resolutions, the Convention shall recess for a period of one (1) hour during which time the delegate from each of the Eight (8) Congressional Districts shall caucus and elect from their group two (2) delegates who shall serve on the Temporary Committee on Rules and Resolutions.
BE IT FURTHER RESOLVED that upon the expiration of the one (1) hour recess the Temporary Chairman shall reconvene the Convention to announce the names of the members of the Temporary Committee on Rules and Resolutions.
BE IT FURTHER RESOLVED that the Temporary Committee on Rules and Resolutions will prepare a proposed set of rules and shall mail a copy of said rules to all delegates no later than 12:00 a.m. on January 10, 1973.
BE IT FURTHER RESOLVED that the Convention reconvene on January 15, 1973 at 10:00 a.m. and that the Temporary Committee on Rules and Resolutions submit its proposed rules to the Convention at that time for consideration.

We further move that this resolution be made a permanent part of the record of this Convention and that a roll-call vote be taken and recorded.
DELEGATE RESOLUTION No. 4—

Introduced by Delegates Velazquez and Schmitt:

A MEMORIAL RESOLUTION

WHEREAS, a tragedy has taken place in New Orleans, La., the effects, which have gone beyond that City—afflicting the State and the Nation;

WHEREAS, all the people of Louisiana black as well as white deplore this senseless action;

WHEREAS, this convention is meeting to write a constitution which will guarantee the civil rights of all its citizens under the rule of law;

WHEREAS, to maintain civilization and order, the individual policeman remains our first line of defense;

BE IT RESOLVED, that the Louisiana Constitutional Convention publicly deplores the above mentioned incident.

BE IT FURTHER RESOLVED, that as its first order of business, before considering the Rules, we will stand for a minute of silence in memory of

Detective Policeman Superintendent Louis Sirgo

Petrolman Phil Coleman

Cadet Albert Harrell

BE IT FURTHER RESOLVED that the Louisiana Constitutional Convention endorses the Tragedy Fund, which is a legitimate fund raising activity composed of a broad spectrum of all races and faiths and crossing organizational lines, intended to raise funds for the families of the deceased. Which Fund has been endorsed by Mayor Moon Landrieu, Mayor of New Orleans.

The co-authors of this memorial are delegates:

Thomas A. Velazquez, Dist. 97
Joseph I. Giarrusso, Sr., Dist. 98

And.

DELEGATE RESOLUTION No. 5—

Introduced by Delegate Abrahams:

A RESOLUTION

BE IT RESOLVED that the delegates to the Louisiana Constitutional Convention do hereby re-enact, re-affirm and adopt as their own and as the Act of the Convention, every act taken at the meeting of elected delegates held on January 5, 1973, including but not limited to the roll call of delegates, the swearing of delegates and all other acts taken by said delegates as members of the Louisiana Constitutional Convention from that time to the present.

DELEGATE RESOLUTION No. 6—

Introduced by Delegate Weiss:

A RESOLUTION

Relative to the use of existing Louisiana Hospital Television Network Facilities by the Louisiana Constitutional Convention of 1973, acting through its committees.

WHEREAS, it is of vital importance to the success of the work of this convention that its committees have the benefit of the knowledge, wisdom and opinion of all of the citizens of Louisiana and that methods be evolved which permit access of access to such persons regardless of their place of residence within the state; and

WHEREAS, in addition to the public meetings which the various committees will hold within and without the city of Baton Rouge at which interested citizens and those having specialized knowledge will appear, it is anticipated that additional need for consultation and hearings will develop during the course of committee study and deliberation which will require contact with individuals and groups of individuals in various areas of the state; and

WHEREAS, the existing closed circuit television facilities of the Louisiana Hospital Television Network can be of inestimable value to this convention and its committees, and hence to the people of the state of Louisiana, in providing a means of communication between the members of any committee and persons or groups residing in other areas in or near the state owned and operated hospitals which form a part of said hospital television network; and

WHEREAS, Section 5(F) of Act No. 2 of the 1972 Regular Session of the Legislature authorizes this convention “to use the facilities and services of any board, commission, department or agency of the state and of any subdivision of the state” and provides that “all such agencies shall cooperate with the convention to the fullest extent in furnishing services, facilities and employees upon request,” and it is desirable that action be taken to provide for the use of such facilities of said network and, to the extent feasible and necessary, of those of the Louisiana Educational Television Authority.

THEREFORE, BE IT RESOLVED that, in the interest of expediency and in order to provide a useful facility for the development of data and information and for the review of specific progress in the preparation of assigned categories of its work, this Constitutional Convention does hereby make its formal request to the Commissioner of the Louisiana Health and Social Rehabilitation Services Administration to cooperate with the Division of Hospitals of the Administration and such other division heads as may be applicable, that the existing facilities of the Louisiana Hospital Television Network be made available to this convention and to the committees of this convention during the course of the deliberations in connection with the framing of a new constitution for the state of Louisiana, as provided by Act No. 2 of the Regular Session of 1972, according to such schedule, which shall not conflict with the regular closed circuit programming of said network, as shall be developed and conducted by the convention, acting through the respective chairman of its committees and the appropriate officials or personnel of said Louisiana Hospital Television Network.

BE IT FURTHER RESOLVED that such existing closed circuit television facilities shall be made available only when such use is requested and then only for such discussions relative to the work assigned to the committee making the request and in no case for general discussion meetings which would demand more time than use of lines by all committees requesting such services would permit, consistent with the purpose of the facilities of the Louisiana Hospital Television Network.

BE IT FURTHER RESOLVED that the Louisiana Educational Television Authority is hereby requested to cooperate with the Louisiana Hospital Television Network officials in the fullest extent deemed necessary and desirable in order to assure that closed circuit television facilities are made available to this Constitutional Convention and its committees as herein set forth.

BE IT FURTHER RESOLVED that copies of this Resolution shall be transmitted by the Secretary of the Constitutional Convention to the Commissioner of the Louisiana Health and Social Rehabilitation Services Administration, to the head of the Division of Hospitals of said Administration, to the head of the Louisiana Educational Television Authority and to any other person to whom applicable without delay.

DELEGATE RESOLUTION No. 8—

Introduced by Delegates Roy, Gauthier and Dennis and all members of the Constitutional Convention of 1973:

A RESOLUTION

WHEREAS, pursuant to Act No. 2 of 1972, the Constitutional Convention for 1973 convened on January 5, 1973; and

WHEREAS, the Honorable Walter B. Hamlin, Chief Justice of the Supreme Court of Louisiana was, by said Act, designated as the temporary chairman of said Convention; and

WHEREAS, Chief Justice Hamlin immediately and conscientiously initiated procedures for the orderly commencement of the Constitutional Convention; and

WHEREAS, Chief Justice Hamlin devoted many hours of study and preparation for this historic undertaking; and

WHEREAS, his efforts as head Justice of the Louisiana Supreme Court and as Chief Administrative Officer of the Judiciary of the State of Louisiana compelled him to have someone designated in his stead;

NOW, THEREFORE BE IT RESOLVED that the delegates to the Constitutional Convention of 1973, individually and on behalf of their respective districts do hereby express
their deep and sincere appreciation to Chief Justice Hamlin for his interest and leadership in the formation of the Convention and for his continued interest heretofore expressed in the confection of a new Constitution for the State of Louisiana.

BE IT FURTHER RESOLVED that this Resolution be enrolled and made part of the minutes of this Convention and a copy suitably framed and presented to Chief Justice Hamlin.

DELEGATE RESOLUTION No. 10—
Introduced by Delegate Asseff:
A RESOLUTION
To urge public and private employers in Louisiana to give preference in their employment practices to disabled veterans.
WHEREAS, there are many disabled veterans which has resulted from their defense of their country in various areas of the world, and
WHEREAS, this country owes a profound debt of gratitude especially to its disabled veterans for their performance of their duty at great personal sacrifice, and,
WHEREAS, it is the duty of all of our citizens to repay these veterans and not penalize them for their acts of bravery and patriotism for their country, and
WHEREAS, the Louisiana Constitutional Convention is deeply concerned about the welfare of our disabled veterans who gave so much in behalf of their country and deserve the best that we can offer for their great sacrifice for us and for mankind,
THEREFORE, BE IT RESOLVED by the Louisiana Constitutional Convention convened in Baton Rouge on January 16, 1973, that the Convention expresses its gratitude to our disabled veterans and urges public and private employers to give preference to disabled veterans in their employment practices.

DELEGATE RESOLUTION No. 11—
Introduced by Delegate Avant:
BE IT RESOLVED that no resolution, memorial or petition be in order unless it is germane to the business of this Convention as such.

DELEGATE RESOLUTION No. 12—
Introduced by Delegate Shannon:
A RESOLUTION
To commend and express the appreciation of this convention to all persons, groups and organizations for assistance during the organizational period of the convention.
BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that the convention and all of its members do hereby express to all those individuals, groups and organizations, public and private, who have generously assisted this convention and its individual members during the course of its organizational period its sincere appreciation for such services.
BE IT FURTHER RESOLVED that all such persons, groups and organizations are highly commended for the diligence and dedication exhibited in their efforts in behalf of this Constitutional Convention.

DELEGATE RESOLUTION No. 13—
Introduced by Delegate Guarisco:
A RESOLUTION
To direct the Chairman and the Executive Committee of the 1973 Constitutional Convention to furnish each delegate with stationery under the Convention letterhead containing the delegate's name and committee assignment and any office held by a delegate.
WHEREAS, it will be necessary for the delegate to correspond with persons in the interest of forming a new Constitution; and
WHEREAS, no official stationery exists for the delegates; and
WHEREAS, it is of much importance that the delegates do have official stationery so that they will be recognized throughout the state when corresponding with various persons and officials.
THEREFORE, BE IT RESOLVED by the delegates to the 1973 Constitutional Convention of Louisiana that the Chairman and Executive Committee of Convention are hereby directed to provide each delegate with stationery under the Convention letterhead containing the delegate's name and committee assignment and any Convention office held by a delegate.

DELEGATE RESOLUTION No. 14—
Introduced by Delegates Arnette, Sutherland and all delegates to the Constitutional Convention of 1973:
A RESOLUTION
WHEREAS, pursuant to Act 2, of 1972, the Constitutional Convention for 1973 convened on January 5, 1973; and
WHEREAS, the Honorable Joseph W. Sanders, Justice of the Supreme Court of Louisiana was, by the Supreme Court, designated as the temporary chairman of said Convention; and
WHEREAS, Justice Sanders immediately and conscientiously initiated procedures for the orderly commencement of the Constitutional Convention; and
WHEREAS, Justice Sanders devoted many hours of study and preparation for this historic undertaking; and
WHEREAS, Justice Sanders did perform the duties of temporary chairman in an exemplary manner.
NOW, THEREFORE BE IT RESOLVED that the delegates to the Constitutional Convention of 1973, individually and on behalf of their respective districts do hereby express their deep and sincere appreciation to Justice Sanders for his interest and leadership in the formation of the Convention; and for his continued interest heretofore expressed in the confection of a new Constitution for the State of Louisiana.
BE IT FURTHER RESOLVED that this Resolution be enrolled and made part of the minutes of this Convention and a copy suitably framed and presented to Justice Sanders.

DELEGATE RESOLUTION No. 15—
Introduced by Delegate Dennis:
A RESOLUTION
To provide with respect to the functioning of the committees of the Constitutional Convention of 1973.
BE IT RESOLVED, that the substantive, procedural and other committees now created or otherwise created in accordance with the Standing Rules of the Convention are hereby authorized and directed to commence immediately the performance of its functions and duties, and to expend funds of the Convention in furtherance hereof under the administration of the Executive Committee, all in accordance with the Standing Rules of the Convention.
BE IT FURTHER RESOLVED, that the Executive Committee is hereby authorized and directed to commence immediately the performance of its duties and functions including that of budgeting and approving the expenditure of convention funds by itself and all other committees of the Convention, in accordance with Act 2 of 1972 and the Standing Rules of the Convention.

DELEGATE RESOLUTION No. 16—
Introduced by Delegate Casey and All members of the Convention:
A RESOLUTION
To commend and express the appreciation of the Convention to the Honorable Wade O. Martin, Jr., Secretary of State, for his valuable contributions to the Louisiana Constitutional Convention of 1973.
WHEREAS, Mr. Martin was instrumental in the endeavors to bring about this Convention; and
WHEREAS, even before the first meeting of the delegates, Mr. Martin and his staff were hard at work taking applications for staff positions for the Convention; and
WHEREAS, the Secretary of State attended the first Convention meeting and called the roll of delegates and announced the votes on various measures for the Convention; and
WHEREAS, Mr. Martin has offered his personal assistance and the assistance of his staff to aid the delegates in preparing a new constitution for the people of this state; and
WHEREAS, the delegates of this Convention sincerely
appreciate his untiring efforts to help the people of this state of Louisiana.

THEREFORE, BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that its members do hereby express its sincere appreciation to the Honorable Wade O. Martin, Jr., Secretary of State, for his diligent efforts in receiving applications and providing for a temporary staff for this Convention, his participation in the opening session of this body and the many other valuable services which he has performed in behalf of this Convention.

BE IT FURTHER RESOLVED that the various members of the Secretary of State’s staff who worked in behalf of this Convention are hereby commended for their contributions toward a successful organizational session of the Louisiana Constitutional Convention of 1973.

BE IT FURTHER RESOLVED that this Resolution be enrolled and made part of the minutes of this Convention and a copy suitably framed and presented to the Honorable Wade O. Martin, Jr., Secretary of State.

DELEGATE RESOLUTION No. 17—

Introduced by Delegates Abraham, Brien, Champagne, Chatelain, Conroy, Derbes, J. Jackson, Juneau, Landrum, Larrier, Miller, Newton, O’Neill, Reeves, Taylor, Tobías, Triche, Weiss and Zervigon:

A RESOLUTION

WHEREAS, it is the desire of all delegates to the Constitutional Convention of 1973 that all Citizens of the State of Louisiana participate in the drafting of a new Constitution for the State of Louisiana; and

WHEREAS, the participation and support of all Citizens of the State of Louisiana is necessary and desirable in all stages of the drafting and ratification of a new Constitution for the State of Louisiana.

NOW, THEREFORE BE IT RESOLVED that the delegates of the Constitutional Convention of 1973, individually and jointly, request that each Citizen of the State of Louisiana communicate with any or all delegates to the Constitutional Convention of 1973 advising what he, she or they think a new Constitution for the State of Louisiana should provide.

BE IT FURTHER RESOLVED that each Citizen of the State of Louisiana is extended an invitation by the delegates of the Constitutional Convention of 1973 to testify, either in writing or orally, before any appropriate Committee of the Constitutional Convention of 1973 regarding what he, she or they think a new Constitution for the State of Louisiana should provide.

DELEGATE RESOLUTION No. 18—

Introduced by Delegate Dennis:

A RESOLUTION

To create and establish a composite committee to hold public hearings with respect to matters with which the Louisiana Constitutional Convention of 1973 is concerned.

WHEREAS, a state constitution as any constitution represents the most basic legal foundation of a people out of which all order and harmony originate; and

WHEREAS, a constitution, being a document of the people, must as closely as possible reflect the thoughts and ideas of its people if it is to be flexible and viable; and

WHEREAS, in order to ensure that the work of this Convention be a document of and for all the citizens of this state an appropriate number of public hearings should be held at which public views on particular vital issues might be determined; and

WHEREAS, such public hearings would provide a forum through which the sages decisions on constitutional matters might be arrived at by the delegates to the Convention; and

WHEREAS, public hearings would also provide the public with a closer view of the progress of the Convention and a more intimate contact with the making of decisions by the delegates of the Convention.

THEREFORE, BE IT RESOLVED that this Constitutional Convention does hereby authorize its Executive Committee to appoint one member from each of the substantive and procedural committee of this Convention to serve as a composite committee which shall hold public hearings on matters with which the Convention is concerned.

BE IT FURTHER RESOLVED that the Executive Committee shall determine the time, place and dates for meetings of the composite committee herein authorized.

DELEGATE RESOLUTION No. 19—

Introduced by Delegate Denney:

A RESOLUTION

To authorize the Executive Committee of the Louisiana Constitutional Convention to utilize the Division of Administration in purchasing and procuring supplies, equipment and printing for the convention and to provide that the provisions of law relative to the letting of public contracts shall be applicable to the purchase or procurement of supplies, equipment and printing for the Convention.

BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that the Executive Committee of the Constitutional Convention is hereby authorized to utilize the personnel and the bidding, purchasing and procurement procedures and services of the Division of Administration in the purchase or procurement of supplies, equipment and printing for the Constitutional Convention.

BE IT FURTHER RESOLVED that the provisions of Part II of Chapter 10 of Title 36 of the Louisiana Revised Statutes of 1950, relative to the letting of public contracts, shall be applicable to the purchase or procurement of supplies, equipment or printing by the Louisiana Constitutional Convention and that the Executive Committee of the Convention shall, and is hereby directed to, comply with such provisions of law in making such purchases or procuring such items for the convention.

Respectfully submitted,

MOISE W. DENNERY
Secretary

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Committee Resolution having been finally adopted by the Convention has been properly enrolled in final form:

COMMITTEE RESOLUTION No. 1—

By Delegate Stagg on Behalf of the Temporary Committee on Rules:

A RESOLUTION

To provide for the standing rules of the Constitutional Convention.

BE IT RESOLVED by the Louisiana Constitutional Convention of 1973 that the following be adopted as the standing rules of the Convention until otherwise amended or rescinded as herein provided:

CHAPTER 1
General Provisions
Quorum and Majority

Rule No. 1. Call to Order. The Convention shall convene at such time as ordered on the preceding working day by a majority of the delegates and the chairman shall call the Convention to order at that time. If a quorum is in attendance, the Chairman shall cause the Journal of the preceding day to be read until the call be read in the minutes by the Convnention, to the end that any mistake may be corrected.

Rule No. 2. Quorum. Sixty-seven delegates to the Convention shall constitute a quorum for the transaction of business.

Rule No. 3. Roll Call. The Secretary shall call the roll at the opening of each session of the Convention and announce whether or not a quorum is present. He shall announce the names of the delegates absent with leave of the Convention and the names of delegates absent without leave, and enter the names of all absentees upon the Journal.

If a voting
machine is provided, the machine shall be used whenever a roll call or a vote by yeas and nays is directed by or in accordance with these rules.

Rule No. 4. Quorum Calls. A quorum call may be demanded by any delegate during any session of the Convention. When, upon such call, it is found that less than a quorum is present the Presiding Officer shall order the doors of the Convention closed and direct the secretary to call the roll of the Convention and to note the names of the absentees. After such roll call the names of the absentees shall again be called and those absent whose absence is excused, or an insufficient excuse for which a majority of delegates present, be sent for and taken into custody by the Sergeant-at-Arms or by his assistants appointed for the purpose, and brought to the floor of the Convention.

Rule No. 5. Absence from Convention Service. No delegate shall absent himself from the service of the Convention while in session without obtaining leave of the Convention. Leave for absence from a daily session may be obtained from the chairman as provided in Rule 34.

Rule No. 6. Absent Delegates. At any time the Convention is in session, whether upon first convening of the day’s session or at any time after the hour has arrived to which the Convention stood adjourned, the chairman is authorized to send the Sergeant-at-Arms to any place or for absent delegates as the majority of such delegates present shall agree.

Rule No. 7. Executive of Convention. The chairman of the Convention shall be the executive of the Convention. Any expenses incurred in compelling the presence of an absent delegate shall be borne by such delegate, unless such excuse of non-attendance has been made as a majority of a quorum shall judge sufficient, in which case the expense shall be paid out of the appropriated funds to the Convention.

Rule No. 8. Persons Admitted. No person shall be admitted on the Convention floor while the Convention is in session or during the period five minutes before the time set for the convening of each session or the period five minutes after the adjournment of each session, except that delegates and members of the Convention staff may remain on the floor. Representatives of the news media shall be admitted to the floor as provided in Rule 11. Written messages may be delivered to the delegates by a sergeant-at-arms from persons outside the restricted area. The Convention floor, for purposes of these rules, is defined as the entire enclosed seating area of the delegates.

Rule No. 9. Restrictions on the Convention Floor. One chair shall be allowed each delegate on the Convention floor and no other chairs shall be permitted in this section.

Rule No. 10. Special Permission. Special permission to sit on the Convention floor may be granted by the chairman of the Convention to visiting officials of other states or of the United States or of foreign countries.

Rule No. 11. News Media. A designated place in the Convention Hall shall be provided for the news media, who shall have free access thereto. Accreditation of members of the press and of members of any news media for admission shall be administered by the Chairman. No member of the press or of any news media shall conduct any interview with a delegate on the Convention floor while the Convention is in session.

Rule No. 12. Administration of Rules. The Chairman of the Convention shall provide for the administration of the rules governing admission to the Convention as provided herein.

Rule No. 13. Special Roll CALL of Convention Area. The Chairman shall have the regulation and control of such parts of the Convention Hall and its passage or any other places of general assembly as are or may be set apart for the use of the Convention, its officers and employees.

Rule No. 14. Restrictions on Non-Delegates. No motion shall be deemed properly made or a motion to suspend the rules or a motion to go into the Committee of the Whole, to admit any person not a delegate to the Convention floor to present any petition, memorial, or address, or to read same, except in the Committee of the Whole as may be provided by the Convention in accordance with Rule No. 65.

Rule No. 15. Open Meetings. All meetings of the Convention shall be open to the public and the news media.

CHAPTER 2

Officers, Employees, and Duties

Officers

Rule No. 16. Convention Officers. The officers of the Convention shall be a Chairman, who shall be Chairman of the Convention, a First Vice-Chairman, three Vice-Chairmen, a Secretary, and a Treasurer. There shall be an Executive Committee which shall be composed of the officers of the Convention and sixteen delegates, with two delegates to be elected from each district, in which they reside at the time of qualification or appointment. Such voting shall be in separate congressional caucuses. The Chairman of the Convention shall serve as Chairman of the Executive Committee. No member of the Executive Committee, other than the Chairman of the Convention shall serve on the Committee on Committees nor shall the Executive Committee serve as the Committee on Committees. The officers of the Convention shall be delegates to the Convention and shall each be elected in separate elections by a majority vote of all the delegates of the Convention.

Employees

Rule No. 17. Convention Employees. A. A Chief Clerk and a Sergeant-at-Arms shall be employed by the Chairman of the Convention subject to the approval of a majority vote of the entire Convention; they shall not be delegates to the Convention.

B. All other employees, necessary to aid the Convention, shall be employed by the Executive Committee of the Convention in accordance with Act 2 of the 1972 Regular Session.

Executive Committee

Rule No. 18. Duties. The Executive Committee shall:

A. Employ a research director, research assistants, secretarial and/or clerical personnel and such other employees as it deems necessary, in accordance with provisions of Act 2 of the 1972 Regular Session. The Executive Committee shall be a committee on administration, which shall consider research materials and personnel, convention budget and finance and other administrative matters, facilities and physical arrangements for the Convention, for committee hearings and for the staff, with its grants and assistance to the Convention, purchases and rental of equipment, supplies and services, printing and related matters.

B. Assist the Chairman of the Convention in the assignment of delegates to their seats.

C. Serve as the executive board of the Convention in all matters relating to official sanction.

D. Assist the Chairman of the Convention in his capacity as supervisor of the research staff of the Convention.

E. Any other provision in these rules to the contrary notwithstanding, the Executive Committee, or any committee authorized by the Executive Committee to act within its powers, may make rules to control the conduct of the Convention from daily to daily and from session to session.

F. Any delegate may attend any executive session held by the Executive Committee or by any other committee.

The Chairman

Rule No. 19. Duties. The Chairman shall be the presiding officer and the Chief Executive Officer of the Convention, and as such, Chairman of the Executive Committee. He shall:

A. Preside at sessions of the Convention and exercise the usual powers and perform the usual duties of a presiding officer.

B. Preserve order and decorum;

C. Speak to points of order, and subject to an appeal to the Convention, decide all points of order;

D. Conclude any debate on a question, prevent personal reflections, and determine the order of recognition when two or more delegates rise at the same time;

E. Designate the First Vice-Chairman to preside in his absence and establish the order of the Vice-Chairmen to preside in the absence of both the Chairman and the First Vice-Chairman;

F. Name a delegate to preside as chairman on each occasion when the Convention sits as a Committee of the Whole;

G. Assign, with the assistance of the Executive Committee, thirty minutes to their committees;

H. At the request of at least twenty-seven delegates, a recorded yeas and nays vote shall be ordered by the Chairman;

I. Sign all official documents of the Convention, attested by the Secretary;

J. Make corrections of the official journal of the Convention, if necessary, attested by the Secretary with notification of any substantive changes being made to the Convention at large;

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K. Direct the Convention in its official activities, including
not to delegate, to perform duties connected with the busi-
ness of the Convention;
L. Not engage in debate when sitting as Chairman, nor
shall he vote on appeals from his rulings;
M. Maintain general control of the Convention Hall, its
employees, and all rooms set apart for use of the Convention;
N. Sign all warrants;
O. Supervise the Convention staff, provided that he may
decorate censure of this function to members of the staff;
P. On his own initiative or at the direction of the Conven-
tion appoint such special committees as may be necessary to
perform special functions.

First Vice-Chairman
Rule No. 20. Duties. The First Vice-Chairman shall serve as
First Vice-Chairman of the Convention, and shall:
A. Preside in acting Convention Chairman, when requested
to do so by the Convention Chairman, or in the absence or
inability of the Chairman to serve;
B. Serve as a member of the Executive Committee of the
Convention, and carry out such other duties as are assigned
by the Chairman;
C. Serve as an ex officio member of the Committee on
Rules, Credentials, Ethics and Schedules, but shall have no
duty, and shall not be counted for the purpose of obtaining a
quorum thereof.

Vice-Chairmen
Rule No. 21. Duties. The Vice-Chairmen shall:
A. Preside in the absence of the Chairman and the First
Vice-Chairman in the order established by the Chairman as
provided in Rule No. 19;
B. Serve as members of the Executive Committee and carry
out such other duties as are assigned by the Chairman;
C. The Chairman shall designate Vice-Chairmen to serve
ex officio on each of the three remaining procedural com-
mittees, no Vice-Chairman shall have a vote on the commit-
tee to which he is assigned and shall not be counted for the
purpose of obtaining a quorum.

Secretary
Rule No. 22. Duties. The Secretary shall:
A. Exercise responsibility for the accuracy of the Conven-
tion Journal of Proceedings, and the daily publication and
distribution of the Journal;
B. Keep a verbatim written record and a sound recording
of all proceedings of the Convention and of the Committee of
the Whole;
C. Prepare a daily calendar of business and notices of
schedules of all committee meetings;
D. Receive, reproduce, number, and distribute all resolu-
tions, delegate and committee proposals;
E. Read to the Convention all proposals, resolutions, peti-
tions, memorials and communications;
F. Exercise responsibility for roll calls of the delegates;
G. Attest where necessary all official documents of the
Convention;
H. Preserve and safeguard all original copies of official
documents and be responsible for the preservation of all
proceedings of the Convention and its committees, and see
that all records are properly preserved in archives of the state;
I. Serve as a member of the Executive Committee;
J. Perform such other duties as may be designated by the
Chairman or the Executive Committee.

The Treasurer
Rule No. 24. Duties. The Treasurer shall:
A. Exercise responsibility for the accuracy of the Conven-
tion's financial records and the monthly distribution of
financial statements to the delegates of the Convention;
B. Co-sign, with the Convention Chairman, all warrants;
C. Serve as custodian of all Convention financial records;
D. Assist in the preparation of the Convention's budget;
E. File quarterly audits and the final audit of financial
records with the State Treasurer, Clerk of the House of
Representatives and the Secretary of the Senate;
F. Make financial records of the Convention available for
audit to the Louisiana Legislative Auditor quarterly and at
the end of the Convention;
G. Serve as a member of the Executive Committee, and
carry out such other duties as may be assigned by the Chair-
man.

Chief Clerk
Rule No. 25. Duties. The Chief Clerk shall:
A. Serve not be a delegate to the Convention;
B. Shall perform general administrative duties of the
Convention subject to supervision of the Chairman, and when
he assumes the duties of the Secretary as provided in Rule
No. 22, shall do so under the supervision of the Secretary;
C. Shall be accountable to the entire Convention for fulfill-
ment of his duties, and the smooth functioning of the Conven-
tion in assembly as a deliberative body;
D. Shall serve as Parliamentarian of the Convention and
shall be advisor and counsel to the Chairman and committee
chairmen on all matters of parliamentary procedure; how-
ever, all parliamentary rulings shall be the responsibility of,
and shall be made by, the Chairman or Committee Chairmen in
committee.

Sergeant-at-Arms
Rule No. 26. Duties. The Sergeant-at-Arms shall:
A. Attend the Convention during its sitting, to execute
commands as directed to him by the chairman, including
signing for and delivery of correspondence addressed to
delegates;
B. Maintain order in the Convention Hall and execute
Rules of the Convention concerning admission to the floor;
C. Maintain order at committee hearings and assist com-
mittee chairmen in their duties;
D. Exercise supervisory control over his assistants, subject
to direction of the chairman.

Vacancies. If a vacancy occurs in the office of
Chairman, the first Vice-Chairman shall temporally preside
in the Convention; the Chairman shall fill the office in the
same manner in which the officer was first elected.
If a vacancy occurs in the office of any of the Vice-
Chairmen or in the office of the Secretary or Treasurer, the
Chairman shall appoint a delegate to exercise the powers of
that vacant office until the Convention fills the vacancy
in the same manner in which the officer was first elected.

CHAPTER 3
Delegates
Rule No. 27. Delegates Oath. No delegate shall be qualified
to serve unless and until he has taken the prescribed oath.

Rule 28. Recognition in Debate. When any delegate
desires to speak or present any matter to the Convention, he
shall rise and address himself to the chair. He shall not speak
until recognized, and when recognized, he shall confine him-
self to the question under debate.

Rule No. 29. Transgression of Rules. If any delegate in
speaking or otherwise, transgresses the rules of the Conven-
tion, the chairman shall call the delegate to order; in which
case the delegate shall sit down and shall not proceed with-
out leave of the chairman or the Convention.

Rule No. 30. Limits on Debate. Delegates shall not speak
more than once to the same question, nor more than fifteen
minutes, without leave of the Convention, unless the delegate
is the mover, proposer or introducer of the matter pending,
in which case, either the delegate and/or his designees shall
be permitted to speak in reply, but not until every delegate
choosing to speak shall have spoken, except where the
previous question or the previous question on the entire
subject matter has been ordered. When the previous question
has been ordered, the mover, proposer or introducer shall
nonetheless have the right to speak or reply as provided in
Rule No. 78. The time for reply shall not exceed a total of
fifteen minutes.

Rule No. 31. Prohibited Behavior. No delegate shall walk
off of the Convention floor during roll calls, nor shall any
delegate in any way impede the business of the Convention
by interrupting delegates who are speaking, by use of objec-
tive loud language, or by engaging in any way in discourteous
court.

Rule No. 32. Questions of Order. Every question of order
shall be decided by the chairman, without debate, subject
to an appeal. The chairman may call for the sense of the Convention on any question of order, but when an appeal has been taken from the decision of the chair, any subsequent question of order which may arise from the decision of such appeal by the Convention shall be decided by the chairman without debate. Appeals from any ruling of the chair shall be affirmatively put, and to overrule the chair, shall require the same vote required to suspend the rules. (See Rule No. 85.)

Rule No. 33. Answering Roll Calls. Every delegate must be present when a roll call is being taken, and answers to roll calls from other locations on the Convention floor shall not be counted.

Rule No. 34. Absence from Daily Sessions. A delegate may be excused from attendance at daily sessions only with leave from the chair, and no delegate shall be compensated for a day on which he is absent from Convention sessions.

Rule No. 35. Vacancies. By a vote of at least two-thirds of the delegates to the Convention, the seat of a delegate may be declared vacant by the Convention if the delegate has been absent from at least fifteen unexcused consecutive open roll calls. In the event of the death of, or written resignation by, a delegate, the seat may be immediately declared vacant by the Chairman. The Chairman shall notify the Governor of any vacancy.

Rule No. 36. Voting in Person. No person other than the delegate himself will be permitted to vote or to answer any roll call or quorum call.

CHAPTER 4
Proposals

Rule No. 37. Proposal. Any original suggestion, proposition, or draft intended to become a part of the Constitution shall be referred to as a proposal. A proposal introduced by a delegate shall be designated as a delegate proposal, and a proposal submitted by a committee shall be designated as a committee proposal. An amendment shall be designated as an amendment.

Rule No. 38. Resolutions. All matters of general convention business, other than proposals intended to become a part of the Constitution, shall be proposed through the instrument of a resolution, which instrument shall be so designated and may be introduced at any time. A resolution introduced by a delegate shall be designated as a delegate resolution, and a resolution submitted by a committee shall be designated as a committee resolution.

Resolutions shall be subject to the same rules of readings, committee referral and adoption as proposals. Resolutions shall undergo the same time limits which shall be reflective of its purpose and substance, and shall comply with the form requirements of Rule No. 41.

Rule No. 39. Introduction. A proposal may be introduced by a delegate or delegates or by a committee on behalf of a majority of its membership.

Rule No. 40. Introduction of Committee Proposals. Committee proposals prepared and approved by the several committees of the Convention prior to July 5, 1973, shall constitute the first proposals to be introduced in the Convention and shall be introduced by the chairman of each committee, or his designee and shall bear the signature of a majority of the members of the committee. These proposals as far as completed shall be mailed to all Convention delegates or before June 22, 1973.

Rule No. 41. Form of Proposals. Delegate proposals shall be distinguished from committee proposals and all proposals shall be introduced, or submitted in eight copies. All proposals must be typed, double spaced on 8-1/2 by 11 inch paper in a type face not to exceed 10 point, and not to exceed 2 1/2 inches in one margin on the top and right side and at the top and bottom shall be preserved. The lines on each page shall be numbered consecutively from top to bottom at the left margin, and the left margin shall be two spaces to the right of the line numbers. Pages commencing with page two shall be numbered at the top center of the page. The original of all proposals shall remain in the custody of the Convention. The secretary shall, as soon as any proposal is printed, place it on the desks of the delegates. The caption of each proposal shall be substantially in the following form:

Constitutional Convention of Louisiana of 1973

PROPOSALS

(Committee or Delegate) (Number)

Introduced by

(Name of Delegate or Committee Chairman)

Each proposal shall also contain a short title stating concisely the general nature of its subject matter.

Rule No. 42. Deadline on Proposals. No proposals may be introduced by delegates or committees after the first sixty days following July 5, 1973. Amendments to proposals may be offered any time.

Rule No. 43. Printing. Each proposal introduced shall be immediately printed and distributed to the delegates and shall be available to the general public and other interested parties. No final action shall be taken on any proposals until printed copies have been distributed to the delegates for at least forty-eight hours.

Rule No. 44. Order of Processing. The order of Convention procedure in processing each proposal shall be as follows:

A. Introduction, which shall constitute the first reading.

B. Committee referrals: Committee proposals shall be referred to the Committee offering the proposal. Delegate proposals shall be referred by the Chairman of the Convention to the appropriate committee based on the subject matter of the proposal. The Chairman shall notify the Committee designated by the proposals by the chairmen of the delegations and if no objection is raised, the proposal shall be referred to the Committee designated by the delegate; if objection is raised, the referral shall be made by the Convention. Referrals shall be made the day following introduction. Committee referral shall commence the second reading.

C. Committee reports.

D. Consideration of and voting on the substantive committee report by delegates in general assembly.

E. If recommitted, reconsideration by substantive committee or committee of the whole.

F. Reference to Committee on Style and Drafting.

G. Engraving, which shall complete the second reading.

H. Third reading and final passage.

I. Enrollment.

J. Referral to Committee on Style and Drafting.

K. Convention approval of final styling.

L. Final enrollment.

Each of the three required readings shall occur on three different days.

Rule No. 45. Order of Proposals. When a proposal is up for third reading and final passage, it shall be read, debated, and acted upon separately by sections. Each section shall be considered a separate question for the purpose of “limits on debate” provided for in Rule No. 30.

Rule No. 46. Amendments. Amendments shall be submitted in writing, and a copy of every such amendment shall be distributed to each delegate before a vote occurs thereon.

Rule No. 47. Styling and Drafting. When all proposals have been processed, the entirety of those adopted shall be coordinated by the Committee on Style and Drafting for order of arrangement in the new proposed Constitution, to the end that the document shall be properly coordinated and uniform in style, and such final draft must be approved by a majority of the delegates to the Convention.

Rule No. 48. Distribution. For the purpose of these rules “distribution” shall mean that a copy of any document is placed on the desk or chair of each delegate.

CHAPTER 5
Committees

Substantive, Procedural and Other

Rule No. 49. Substantive Committees.

A. The following substantive committees are hereby created:

1. Committee on Bill of Rights and Elections, which shall consider the Preamble, Bill of Rights, Human Rights, Obligations of Citizenship, distribution of powers, suffrage and elections, the amendment process, and future constitutional conventions.

2. Committee on Executive Department, which shall consider the offices comprising the executive department, reorganization, term of the Governor and other elected officials, and impeachments.

3. Committee on Legislative Powers and Functions, which shall consider the Legislative Department, apportionment, qualifications, regular and special sessions;
4. Committee on Judiciary, which shall consider the judiciary, tenure and selection of judges, the Department of Justice, district attorneys, sheriffs, clerks of court and coroners;

5. Committee on Local and Parochial Government, which shall consider local and parochial government, home rule, special districts, consolidation of governments and intergovernmental cooperation;

6. Committee on Revenue, Finance and Taxation, which shall consider revenue, finance, taxation, assessors and assessment, exemptions, state debts and management of state funds;

7. Committee on Education and Welfare, which shall consider public education, welfare, consumer affairs, civil service, labor and industry; and

8. Committee on Natural Resources and Environment, which shall consider public lands, minerals, water resources, wildlife, environmental concerns, recreation and agriculture.

B. Other provisions that may not be covered by the areas of responsibility shown above may be assigned by the Coordinating Committee to the appropriate substantive committee.

Rule No. 50. Procedural Committees.

The following procedural committees are hereby created:

1. Committee on Rules, Credentials and Ethics, which shall consider rules, credentials of delegates, questions of ethics, new media and employees, and shall consider all questions on any procedural disputes referred to it by the Chairman or by the Convention;

2. Committee on Style and Drafting, which shall have control over literary style, consistency, arrangement and numbering. The committee shall have authority to rephrase or to require rewording of any draft, or portions thereof, and shall have no authority to change the sense or purpose of any proposal referred to it where a proposal referred to it is inconsistent or in conflict with a proposal already acted on favorably by the Convention. The committee shall submit its report to the Chairman no later than one week before the close of the Convention. The report of any inconsistency or conflict and wait upon its instructions.

3. Committee on Legislative Liaison and Transitional Measures, which shall maintain liaison with the legislative branch and the Louisiana Law Institute and provide for coordination of the transition of subject matter from the Constitution to the appropriate law.

4. Committee on Public Information, which shall consider and implement measures to inform the people on the actions, procedures, recommendations and activities of the Convention, and implement public input into the deliberations of the committee. The committee shall direct the effort to obtain approval of the new Constitution and the form and manner of presentation.

Rule No. 51. Appointment of Committees.

The selection of delegates to serve on the substantive and procedural committees shall be determined as follows:

Within twenty-four hours after the adoption of these rules by the Convention, each delegate shall submit in writing to the Convention the committee or committees in which he or she desires to be appointed. A Committee on Committees shall select from among said delegates the delegates to serve on each committee based primarily on the preference of each delegate and giving due consideration to the qualifications, experience and residence of each delegate so as to provide as nearly as possible a fair and balanced representation on each committee of this Convention.

Rule No. 52. Committee on Committees.

The Committee on Committees shall be composed of the Convention who shall be chairman of the Convention on Committees and sixteen delegates, with two delegates to be elected from each congressional district by the delegates voting in the congressional district in which they resided at the time of qualification or appointment. The chairman of the committee shall be elected by the delegates to a term of two years. No more than two members of the Committee on Committees shall be elected a Chairman or Vice-Chairman of a substantive or procedural committee.

Rule No. 53. Service on Committees.

Each substantive and procedural committee shall be composed of at least ten delegates and no more than thirty. Each delegate except the Convention Chairman shall serve on at least one and only one substantive committee and may serve on no more than one procedural committee. Each committee shall elect a chairman, vice-chairman, and such other officers as the committee deems necessary. No delegate serving on the Executive Committee shall serve as Chairman or Vice-Chairman of any substantive committee. The Chairman of the Convention shall designate the date and place of the original meeting of each committee at which committee meeting officers are to be elected and each committee member is to be notified in person or by certified mail of such designation.

The Chairman of the Convention shall be ex officio a member of all substantive committees, but shall have no vote and shall not be counted for the purpose of obtaining a quorum.

Rule No. 54. Coordinating Committee. The Coordinating Committee shall be composed of the Chairman and First Vice-Chairman of the Convention, and the chairmen of the respective substantive committees. The Coordinating Committee shall consider any issues regarding overlap and/or conflict which might arise concerning the jurisdiction of any substantive committee or any subject matter; call joint meetings of any substantive committees for the purpose of discussing any overlap and/or conflict which might arise and any recommendations to the respective substantive committees as to possible resolution thereof and shall assure that each provision of the Constitution of 1921, as amended, shall have been considered by at least one substantive committee.

Rule No. 55. Other Committees. The Convention, by a majority vote of the delegates present and voting, shall have authority to create other committees, including special advisory committees, as it deems necessary, and all substantive and procedural committees may create such sub-committees as necessary. Any substantive or procedural sub-committees shall be created only by a majority vote of the creating body.

Rule No. 56. Proposals. The various articles of the proposed draft of a Constitution shall be prepared unto the convocation of all substantive committees. The research staff shall be assigned to the respective committees by the Chairman of the Convention after consultation with the chairman of the committee to which the staff will be assigned.

Committee Hearings

Rule No. 57. Quorum and Rules of Committees. A majority of any committee constitutes a quorum. The rules of the Convention shall be observed in all committees as far as may be applicable, and if applicable, may not be suspended. Any committee may adopt its own rules of order.

No committee shall conflict with the Rules of the Convention, except that any committee may establish a different rule with respect to limits on debate.

Rule No. 58. A. Public Hearing, Records. No committee shall hold public hearings during the Convention or of the Committee of the Whole without special leave of a majority of Convention delegates present and voting. All committee hearings shall be publicized, shall be open to the public, and may be recorded verbatim, including the testimony of those wishing to be heard. Minutes of the committee meetings shall be recorded. All committees shall, and are hereby authorized to, hold public hearings either as a committee or through a designated sub-committee, said hearings to be conducted at such localities throughout the State as the committee may direct.

B. Appearance of Delegates or Witnesses. Any person wishing to be heard before a committee shall have a right to be heard subject to the rules of that committee.

C. Testimony. Committees and sub-committees may take testimony under oath or affirmation, and the chairman of any committee or sub-committee is authorized to administer the oath.

D. Any person not a delegate appearing before a committee or sub-committee shall identify himself by name and address and shall state whether or not he is representing any other person or interest.

Rule No. 59. Calling of Committees and Agenda. Each committee shall meet at the call of its chairman, who shall also set its agenda. One-third of the members of a committee may in writing request the chairman to call a meeting of that committee, and upon his failure to do so within forty-eight hours not including Saturdays, Sundays, and legal holidays,
a majority of the members of the committee shall have the right to require a report of the committee and set its agenda and place of meeting under the appropriate notification. Each proposal referred to a committee must appear on the committee's agenda at least once.

Rule No. 60. Reports. All proposals submitted to a substantive or procedural committee shall be reported from that committee indicating committee action provided that a majority of the committee membership present and voting must approve the committee report; a minority report may also be made by any member of a substantive committee. No resolution, petition, memorial or proposal shall be reported by the committee prior to a public hearing on the measure first has been held by the committee. No committee shall report a measure to the Convention pursuant to a procedure, referred to as a "round robin." 

Rule No. 61. Form of Reports. The chairman of a substantive committee shall write after each proposal or resolution only the words "reported favorably," "reported unfavorably," "reported with amendments," "reported without action," "reported without action with recommendation that it be recommitted to the Committee on ___," "reported by substitute," as the case may be, which report shall be signed by the chairman. Should amendments be proposed, such amendment or amendments shall be written on a separate paper, original and two copies, numbered consecutively, and attached to the proposal or resolution and under no circumstance shall motions or sentences be interlined on the body of the measure, and the same be marked while in possession of committees.

Rule No. 62. Notice of Committee Meetings. A committee meeting may be held unless notice thereof is given in the following manner: The chairman of the committee or one of the members of the committee calling the meeting under the authority of Rule 59 shall notify the Secretary of the Convention of the time, date, place and agenda of the committee meeting. Within twenty-four hours thereafter the Secretary shall mail notices of such meetings to all members of the committee, all persons who have filed written requests for notice with the Secretary, and to all members of the Convention who have introduced proposals on the subject matter to be considered. The committee meeting shall not be scheduled less than four days from the date the notice is sent to the Secretary. This rule shall apply only when the convention is not in session.

B. Committee and sub-committee meetings while the Convention is in session may be called by the chairman or by a majority of the committee members upon twenty-four hours notice given by the chairman of the floor of the Convention and posted on a designated bulletin board in the vicinity of the floor of the Convention at least twenty-four hours before such meeting.

Rule No. 63. Sub-Committees. A committee, by the affirmative vote of the majority of its members, may make for the appointment of a sub-committee of members of the committee. Reports of sub-committees shall be considered by the entire committee before any committee recommends any action thereon by the Convention. Rules applicable to committees shall be applicable to sub-committees.

Rule No. 64. Records. All written records and reports of committees of the Convention shall be subject to provisions of the Public Records Act.

Rule No. 65. Procedure. The Convention by a majority vote of the delegates present and voting may resolve itself into a Committee of the Whole for a specified time and purpose. The motion of the Committee of the Whole shall specify the maximum time during which the Committee shall sit.

A. The chairman shall designate one or more delegates to serve as chairman of the Committee of the Whole. The rules of procedure of the Convention shall apply insofar as applicable, except that delegates may speak more than once unless the chairman imposes limits on debate, actions will be governed by a majority of those present and voting, matters cannot be referred to other committees, no question may be laid on the table, the previous question cannot be ordered, and motions to adjourn will not be entertained.

Proposals in the Committee of the Whole shall be read through, debated and acted upon by sections. All amendments shall be in writing and reported to the Convention by the chairman.

C. A motion that the Committee of the Whole rise shall be made in order only if a delegate is speaking or a vote is being taken. The motion is not debatable and shall be decided by a majority vote of those present and voting.

CHAPTER 6

Transaction of Business

Daily Business

Rule No. 66. Order. The daily business of the Convention shall proceed as follows:

Morning Hour

1. Roll call.
2. Pledge of Allegiance.
3. Reading and adoption of Journal.
4. Petitions, Memorials, and Communications.
5. Introduction of resolutions.
7. Proposals on Introduction and First Reading.
8. Resolutions on Second Reading and Referral.
9. Proposals on Second Reading and Referral.
10. Reports of Committees Lying Over.
11. Reconsideration.

Regular Order of the Day

13. Special Order.
14. Resolutions on Third Reading and Final Passage.
15. Proposals on Third Reading and Final Passage.
16. Proposals on calendar for approval of final styling.

Rule No. 67. Change in Daily Order. The order of daily business set forth in the above rule shall be adhered to unless the consent of the Convention shall be otherwise given by majority vote of the delegates present.

Rule No. 68. Time of Committee Referral. Where appropriate, all petitions and memorials shall be referred to the proper committees by the chairman as soon as read, where reference may be necessary or is requested by a delegate.

Rule No. 69. Privileged Motions. When a question is under debate, no motion shall be received except:

1. To fix the time to which to adjourn.
2. To adjourn.
3. To take a recess.
4. To call for the Orders of the Day.
5. To lay on the table.
6. For a Call of the Convention.
7. To limit debate.
8. To move the previous question on the order of the day only.
9. To move the previous question.
10. To postpone to a day certain.
11. To commit, refer, or recommit.
12. To amend.
13. To postpone indefinitely.

Motions listed in this rule shall take precedence in the order which they stand arranged. All of them shall be decided by the affirmative vote of a majority of those present and voting. A motion for the previous question and the previous question on the entire subject matter shall require a vote of a majority of the delegates present and voting, and a motion to postpone indefinitely requires the affirmative vote of a majority of all delegates to the Convention. Before calling for the vote on the previous question or on the previous question on the entire subject matter, the Chairman shall announce the names of those delegates who have requested to speak and shall state the number of amendments or motions which are still pending. When a recess is taken while a question is pending, consideration of such question shall be resumed when the Convention reassembles, unless it determines otherwise. No motion to postpone to a day certain, or to commit, having been decided by the Convention, shall again be in order on the same day or at the same stage of the question. Whenever a proposal is being considered and a motion to adjourn made, either to postpone indefinitely or to commit, any pending amendments to the proposal shall first be in order before any vote is taken on any such motion.

Rule No. 70. Motions Not Debatable. A motion to adjourn is always in order except when a motion to fix the time to which to adjourn, or a motion to adjourn, a motion to lay on the table, a motion for recess, or a motion to adjourn, a motion to lay on the table, a motion for recess pending the consideration of
9th Days Proceedings—January 31, 1973

motion is made for the previous question on the entire subject matter, and pending such motion shall be decided whether on appeal or otherwise, without debate. After a call for the previous question on the entire subject matter has been sustained, the question shall be put and determined in order as above, without debate on either amendments or the question itself, and shall be decided by the vote of the amendments and motion, or delegates designated by him, shall respectively have the right to close the debate, after the previous question on the entire subject matter is ordered, which closing speeches shall be limited to a total of fifteen minutes.

Rule No. 77. Adjournment and Recess. A motion to adjourn or recess shall always be in order, except when, on a call for the previous question and previous question on the entire subject matter, the question shall have been ordered, or when a delegate has the floor, and shall be decided without debate.

Yeas and Nays

Rule No. 78. Voting after Decision Is Announced. When the Yeas and Nays are taken on any question, no delegate shall be permitted, under any circumstances whatever, to vote after the decision has been announced by the chairman. The names of absentees on all calls of the yeas and nays shall be placed on a separate list.

Rule No. 79. Explanation of Vote. No delegate shall be permitted to explain his vote except as hereafter provided. Any delegate may explain his or her vote in writing or reasons for not voting in writing and request that such explanation be made part of the record.

Rule No. 80. Tie Votes. When the Convention is equally divided, the decision of the tie shall be taken to break the tie, provided that the chairman, in this event, shall have previously voted as a delegate on the question.

Rule No. 81. Recording the Vote. On the passage on third reading of every proposal, section, or article the yeas and nays shall be entered in the Journal, and no proposal, section, or article shall be declared passed unless a majority of all the delegates to the Convention shall have voted in favor of the passage of same.

Special Orders

Rule No. 82. Consent No. proposal, resolution or other subject shall be made a special order for a particular day without the consent of two-thirds of the delegates present.

Rule No. 83. Procedure. When two or more subjects shall have been specially assigned for consideration, they shall take precedence according to the order of time for which they were severally made or assigned, and said orders shall at no time be lost or changed except by direction of the Convention.

Rule No. 84. Change in Rules. Any standing rule of the Convention may be rescinded, altered, or amended, in the following manner: notice shall be given in writing of the motion therefor, which motion shall be referred immediately by the chairman to the Committee on Rules, which shall file its report to the Convention within twenty-four hours of the date of the motion. If the Convention shall pass the proposed change, the motion shall be considered by the Convention with or without the report of the Committee on Rules, and for passage shall require a vote of a majority of all the delegates to the Convention.

Rule No. 85. Supersession of Rules. One or more rules may be suspended for a specified purpose by the affirmative vote of two-thirds of the delegates present and voting or a majority of delegates to the Convention, whichever constitutes the lesser number.

Rule No. 86. Consideration of Proposals without Committee Recommendation. After one day’s notice the Convention, on motion passed by the affirmative vote of a majority of the delegates present and voting, may require a committee to return, with or without a recommendation, any proposal referred to the committee.

Rule No. 87. Notice. Whenever notice is required to be given by these rules, the following shall constitute notice:

(a) If the Convention is in session, an announcement made by the Secretary in open session shall constitute notice for all purposes.

(b) If the Convention is not in session, the Secretary shall give notice to the delegates by U. S. Mail, certified, postage prepaid. The date of mailing said notice shall constitute the date of the notice for all purposes under these rules.

Rule No. 88. Authority. On any question of order and parliamentary practice, when these rules are silent or in-
explicit, Mason's Manual Of Legislative Procedure shall be considered authority.

Rule No. 89. Name Abbreviation. In all correspondence, news releases, memoranda and other similar writings, it shall be permissible to refer to the Constitutional Convention of 1973 by the abbreviation "C.C./73."

Respectfully submitted,

MOISE W. DENNERY
Secretary

The Resolution contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Leaves of Absence
Delegate McDaniel—2 days.
Delegate Gauthier—1 day.

Recess
Delegate Burns moved that the Convention do now recess subject to the call of the Chair.

Which motion was agreed to.

And Chairman Henry declared the Convention recessed, subject to call.

Prepared in accordance with the transcript and records of the Convention.

Resolutions introduced on this day have been numbered by the Secretary in accordance with the Order of the Convention.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 12:00 o'clock noon, by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegats answered to their names:

**PRESENT**

- Fulco
- Gauthier
- Girard
- Gravel
- Grier
- Guerisse
- Guldry
- Hardee
- Hayes
- Heine
- Hernandez
- Jack
- Jackson, A.
- Jackson, J.
- Jenkins
- Juneau
- Kean
- Kelly
- Kilbourne
- Kilpatrick
- Lambert
- Landrum
- Landry, A.
- Landry, E. J.
- Lanier
- LeBlanc
- Leigh
- Leithman
- Lennox
- Lowe
- Leveil
- Mauban
- Mauberry
- Miller
- Mire
- Munson
- Newton
- Nunez
- O'Neal
- Ouzo
- Perez
- Perkins
- Planchard
- Rachal
- Reeves
- Riecke
- Robinson
- Roemer
- Roy
- Sandon
- Schmitt
- Segura
- Shannon
- Silverberg
- Singleter
- Slay
- Smith
- Sonti
- Stagg
- Stephenson
- Stinson
- Stovall
- Tapper
- Tate
- Taylor
- Thistlewaite
- Thompson
- Teblais
- Toca
- Toomy
- Triche
- Ulo
- Velazquez
- Veish
- Vick
- Wall
- Warren
- Weiss
- Willis
- Winchester
- Wisham
- Womack
- Zervigon

**ABSENT**

- Hayden
- Rayburn
- LeBreton
- Sutherland

The Chairman announced that there were 126 members present and a quorum.
STATE OF LOUISIANA
CONSTITUTIONAL CONVENTION OF 1973

July 5, 1973

Mr. Moise W. Dennehy
Secretary of the Convention
Mr. David R. Poynter
Chief Clerk of the Convention

Dear Sirs:

This is to notify you that the individuals listed below have been duly commissioned as delegates to the Constitutional Convention and in accordance with the provisions of Act 2 of the 1972 Regular Session of the Legislature. The following oaths were administered to Mr. Heine and Mrs. Badeaux.

Respectfully submitted,
EDWARD HARDIN
Assistant Chief Clerk

attachments
EH:kg

Oath of Office
STATE OF LOUISIANA
Parish of EAST BATON ROUGE

I, N. E. "PETE" HEINE hereby solemnly swear that I will support the Constitution and Laws of the United States that I will well and faithfully perform all duties as a Delegate to the Constitutional Convention of 1973 (At Large), and that I will observe and obey the limitation of authority contained in the Act under which this Convention has assembled. So help me God.

Sworn to and subscribed before me this 3rd day of April A.D., 1973

C. C. WOOD
Notary Public

Mr. N. E. "PETE" HEINE
P. O. Box 308
Baker, Louisiana 70714

Oath of Office
STATE OF LOUISIANA
Parish of EAST BATON ROUGE

I, N. E. "PETE" HEINE do solemnly swear (or affirm) that I will support the Constitution and Laws of the United States and the Constitution and Laws of this State, and that I will faithfully and impartially discharge and perform all the duties incumbent on me as Delegate to the Constitutional Convention of 1973 (At Large) according to the best of my ability and understanding. So help me God.

Sworn to and subscribed before me this 3rd day of April A.D., 1973.

C. C. WOOD
Notary Public

Mr. N. E. "PETE" HEINE
P. O. Box 308
Baker, Louisiana 70714

Oath of Office
STATE OF LOUISIANA
Parish of EAST BATON ROUGE

I, Carolyn Badeaux do solemnly swear (or affirm) that I will support the Constitution and Laws of the United States and the Constitution and Laws of this State; and I will faithfully and impartially discharge and perform all the duties incumbent on me as DELEGATE TO THE CONSTITUTIONAL CONVENTION OF 1973 according to the best of my ability and understanding. So help me God.

Sworn to and subscribed before me this 22nd day of June A.D., 1973.

C. C. WOOD
Notary Public

MRS. CAROLYN BADEAUX
807 Wright
Houma, Louisiana 70360

Oath of Office
STATE OF LOUISIANA
Parish of EAST BATON ROUGE

I, Carolyn Badeaux do solemnly swear that I will support the Constitution and Laws of the United States that I will well and faithfully perform all the duties as DELEGATE TO THE CONSTITUTIONAL CONVENTION OF 1973, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assembled. So help me God.

Sworn to and subscribed before me this 22nd day of June A.D., 1973.

C. C. WOOD
Notary Public

MRS. CAROLYN BADEAUX
807 Wright
Houma, Louisiana 70360

Vice-Chairman Miller in the Chair

Chairman Henry addressed the Convention on a Point of Personal Privilege, as follows:

I would like to share some of my thoughts with you as we enter the second phase of this Constitutional Convention. This convention has been called the most important political event of the past half-century in Louisiana. Few would disagree with that.

After hammering out the rules whereby we would proceed, when we convened this past January, we have spent nearly six months in committees, dissecting the present Constitution and developing the parts of a proposed new Constitution.

That period was a time of education and research, of insight and enlightenment. It pointed up the complexity of our problem, and that solutions to such a complex problem are not easily arrived at.

The volume of work has been staggering, and so have the long hours you have devoted to the essential committee work of this convention. To date, you as delegates have expended fully 25,344 man-hours — or person-hours if you will — in the tedious process of picking apart the bones of our old Constitution and preparing tentative drafts of proposed articles and sections of the new Constitution.

To shed light, and to give your support and directives, the staff of the convention has worked another 31,628 hours, late into the night and into the weekends, as you yourselves have worked.

Thus, we have devoted nearly 57,000 hours to developing proposals for a new and better Constitution for Louisiana.

The results of this labor, I dare say, are not merely reflected in the several reams of paper introduced here today as Proposals and Resolutions. The real results are much broader and are contained in the increased insight you and I (thanks to the outstanding coverage of our labor by the news media) and the people of this state have with regard to our present Constitution, and this convention's first tentative ideas as to the substance of a new Constitution and the concepts as to its formulation and implementation.

Beginning today our work will not decrease, likely the opposite will occur, but our work takes on a new dimension. While much committee work remains to be done, soon our attention must be given not just to the narrow area of specialty we have chosen but to a new Constitution in its entirety. However narrow our previous study, our thinking must now encompass an integrated concept of a unitary body of organic law; however equivocal our positions and thoughts, we must begin to decide and act; however firm we are in our convictions we must now persuade not 10 or 20 but 123; however and whatever our thoughts and actions,
we must now write a new Constitution for the people of the State of Louisiana.

Though I do not want to sound excessively presumptuous or school-marmish, I want to tell you of my present thoughts and concerns. I am deeply concerned with the substantive issues of this convention, but I am today equally concerned with the attitudes and approaches of this convention. I hold the firm belief that in all matters of human endeavor not only do the ends not justify the means, but moreover that the means become the ends. I am convinced that our attitudes, our approach, our temper and our mood during the next six months will imperceptible become the proposed Constitution.

If we formulate this Constitution with an attitude of distrust of one another, with narrow, self-important issues; our foremost concern, and with intolerance for divergent views, we shall surely frame a narrow, self-serving document distrustful of government by the people — and distrustful and rejected by the people of Louisiana.

We have worked in a spirit of independence and freedom. The specter of control, a convention controlled by one person, group or special interest, has never materialized. You have every right to take pride in the free spirit of this convention and not in any way to be controlled which delayed the calling of a Constitutional Convention for decades. But no one has controlled this convention, its deliberations and decisions, nor will it be controlled.

I do not suppose, never been associated with a group who so firmly, and with such great regularity, reaffirm their determination to be above politics and to avoid even the appearance of compromise. I expect no less of myself — paraphrasing Hamilton, has no part in this convention. This Constitution must be a statement of principle, not a corruption of it.

Unfortunately, the reverse of this convention has not been articulated sufficiently. Intolerance and arrogance have no place in the Constitution. However, a little simplicity does have a lot of room here. This Constitution cannot possibly be exactly as each of 132 of us would like it. Even more so, it can not be exactly as each of the 3.6 million people of this state might like it. Compromise and tolerance for majority views of others, is not the sign of weakness and moral bankruptcy. It is the critical realization that makes human society functional; it is the element that separates the hermit from the citizen.

If you think that compromise in politics inevitably leads to mediocrity, recall that the system of federalism we now live under was the product of the greatest compromise of the Constitutional Convention that met in Philadelphia in 1787. Recall that it was an entirely new governmental concept, adopted by a democracy and a majoritarian system. The Hamiltons who desired a unitary form of government and the Mr. Randophs who desired the constitution of a Confederation, are not the solution to our problems, but are the elements that separate the hermit from the citizen.

I'm not much on reading quotes of others, but perhaps you will find as interesting as I, recalling the words of the 1787 long-haired Benjamin Franklin when he signed that document:

"I confess that I do not entirely approve of this Constitution as it is, but sir, I am not sure I shall never approve of it for, having lived long, I have experienced many instances of being obliged, by better information or fuller consideration, to change opinions even on important subjects, which I once thought right, but found to be otherwise.

"In these sentiments, sir, I agree to this Constitution with all its faults — if they are such — because I think a general government necessary for us. . . . I doubt, too, whether any other convention we can obtain may be able to make a better one. For what man or body of men, could be trusted with the important responsibility of framing such a number of men, to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect and wise frame be expected?"

"If therefore astonishes me, Sir, to find this system approaching so near to perfection as it does; and I think it will astonish our enemies, who are waiting with confidence to hear that our counsels are confined . . . ."

"Thus I content, Sir, to this Constitution, because I expect no better, and because I am not sure that it is not the best. The opinions I have had of its errors I sacrifice to the public good . . . ." unquote.

Our document, if worthy, shall not be the cure-all for the ills of this state. If worthy, it will create the legal mechanisms whereby people of good will and industry may respond to the ills of society. I recall some months ago reading that the legislative committee was concerned with the size of the Supreme Court as the basis of the representation method for the Louisiana Legislature. Responding to this contemporary concern, they formulated, and then thankfully rejected, a three-page long 1973 solution for us. That 1973 solution would have set ten separate constitutional time restrictions on the Legislative, the Court, and the governmental general of this state. The legislative committee, I believe, in rejecting this 1973 Cadillac was right because this Constitution should and must be a roadmap, not an automobile.

And while we are formulating this roadmap, let us not forget that this map is not just for us — it is going to be carefully scrutinized and effectively expanded upon by judges and professors, lawyers and politicians, and scholars and nitwits. If there are loopholes, they will be plugged; if there is indecision, decision will be had; if there is vagueness, there will be as many opinions as persons affected. In short, the lawsuits will be numerous and we will find that the Supreme Court will ultimately write as much of this Constitution as we do.

We already offended the legislative committee, I'll do the only sensible thing and agitate them again rather than offend another group. Presently, they are recommending that the Legislature be permitted to meet a certain number of working days, termed "legislative days" in a longer calendar. I've already asked, if your real question here is what is a "legislative day" — a day when both houses meet, if we decided on a bicameral Legislature? A day when either one meets? Or even a day when neither meets in session, but some of the committees meet? If you can't find a lawsuit or two in there somewhere, I can suggest a country lawyer from Jonesboro who can.

I've suggested that our attitudes and our approaches will shape this Constitution. I suppose that some of you may be curious of some of mine, in particular about the role as chairman.

You will recall that back in January during the lengthy debates on convention rules, I presumed as chairman to tell you, "Go ahead and get it out of your system now, because after we adopt these rules we're going to live with them."

Those rules have been adopted, and that time has come. We have successfully avoided outside control of this convention. Now we must control ourselves. We will adhere to the rules, they will be enforced, and we will move along, for we have a deadline to meet.

You will also recall that we adopted Mason's Manual of Legislative Procedure, with authority for us to specifically cover our own rules. Mason, quoting from an earlier parliamentary manual, states:

"The great purpose of all rules and forms . . . is to serve the will of the assembly rather than to restrain it; to facilitate and not obstruct the expression of its deliberate sense."

I conceive it my responsibility, as entrusted by you to facilitate the expression of the deliberate sense of this convention. Equitable and impartial adherence to the rules and forms of this convention will be a major element which will ensure that the sense of this convention is not obstructed; such is my goal.

In a different light, I shall be suggesting to you from time to time, often from day to day, working schedules, adjournment times, and similar approaches to effect the work of the convention, I intend to do so after consultations with our officers, groups, and you that I assemble a number of men to have the best views of what this convention needs to do at a given time to effect its goal.

I further wish to indicate to you that it is my desire to facilitate your individual and collective goals. As far as it can be accomplished, this is your goal. If you wish to discuss those matters of particular concern.

While I wish to assure you that my personal interest in the substantive issues of this convention will not wane, my primary purpose will be to attempt to insure on your behalf and on behalf of the people of this state that the
deliberate sense of this convention will be expressed in a
document worthy of their consideration in 1974.
We must now proceed to write that document. The people
are waiting.
Let us proceed.
Thank You.

Chairman Henry in the Chair

Introduction of Resolutions
Delegate and Committee Resolutions

The following delegates and Chairmen on behalf of their
committees introduced the following entitled resolutions:

COMMITTEE RESOLUTION No. 3—
Introduced by Delegate Stovall, Chairman, on behalf of the
Committee on Rules, Credentials and Ethics, and Delegates
Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Sin-
gletary, Velazquez and Warren:
A RESOLUTION
Relative to amending the Standing Rules of the Constitu-
tional Convention to provide expressly for submission of
alternative proposals.
Read.
Lies over under the rules.

COMMITTEE RESOLUTION No. 4—
Introduced by Delegate Stovall, Chairman, on behalf of the
Committee on Rules, Credentials and Ethics, and Delegates
Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Sin-
gletary, Velazquez and Warren:
A RESOLUTION
Relative to amending the Standing Rules of the Constitu-
tional Convention to provide for regulation of lobbying
before the Constitutional Convention.
Read.
On motion of Mr. Stovall the rules were suspended in
order to refer the resolution at this time.
Under the rules, referred to the Committee on Rules, Cre-
dentials and Ethics.

COMMITTEE RESOLUTION No. 5—
Introduced by Delegate Stovall, Chairman, on behalf of the
Committee on Rules, Credentials and Ethics, and Delegates
Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Sin-
gletary, Velazquez and Warren:
A RESOLUTION
Amending Rule No. 44 of the Standing Rules of the Con-
stitutional Convention to clarify the requirement with
respect to the readings on three different days.
Read.
Lies over under the rules.

COMMITTEE RESOLUTION No. 6—
Introduced by Delegate Stovall, Chairman, on behalf of the
Committee on Rules, Credentials and Ethics, and Delegates
Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire,
Singletary, Velazquez and Warren:
A RESOLUTION
Amending Rule No. 41 of the Standing Rules of the Constitu-
tional Convention, to change the placement of page
numbers on proposals to be introduced in this conven-
tion.
Read.
On motion of Mr. Stovall the rules were suspended in
order to refer the resolution at this time.
Under the rules, referred to the Committee on Rules, Cre-
dentials and Ethics.

COMMITTEE RESOLUTION No. 7—
Introduced by Delegate Stovall, Chairman, on behalf of the
Committee on Rules, Credentials, and Ethics, and Dele-
gates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire,
Singletary, Velazquez and Warren:
A RESOLUTION
Relative to amending the Standing Rules of the Constitu-
tional Convention to provide for submission of minority
proposals.
Read.
Lies over under the rules.

DELEGATE RESOLUTION No. 20—
Introduced by Dr. Asseff:
A RESOLUTION
To require each substantive committee to report to the Con-
vention any portion or portions of the constitution that
have been omitted and to indicate clearly and specifically
all changes that are being proposed.
Read.
Lies over under the rules.

DELEGATE RESOLUTION No. 21—
Introduced by Delegate James H. Brown, Jr.:
A RESOLUTION
To send best wishes to the members of the Constitutional
Convention of Louisiana of 1921 still living and request
their assistance and advice.
Read.
Lies over under the rules.

DELEGATE RESOLUTION No. 22—
Introduced by Delegate Stovall:
A RESOLUTION
To amend and readopt Paragraph B of Rule No. 62 of the
Standing Rules of the Constitutional Convention, relative
to the notice required for committee meetings.
Read.
Lies over under the rules.

DELEGATE RESOLUTION No. 23—
Introduced by Delegates O'Neill, Thistlethwaite, and Corne:
A RESOLUTION
Amending Rule Nos. 3 and 36 of the Standing Rules of the
Constitutional Convention to provide for greater inde-
pendence of delegate voting.
Read.
On motion of Mr. O'Neill the rules were suspended in or-
der to refer the resolution at this time.
Under the rules, referred to the Committee on Rules, Cre-
dentials and Ethics.

Suspension of the Rules

On motion of Mr. Stovall the rules were suspended in or-
der to call a committee meeting without giving the required
24 hours notice.
On motion of Mr. Stovall a meeting of the Committee on
Rules, Credentials and Ethics was called for Friday, July
6, 1973, at 9:00 o'clock A.M.

Introduction of Proposals

The following named delegates and committees introduced
the following entitled Delegate and Committee Proposals
which were read by their titles and placed on the Calen-
dar for their second reading.

COMMITTEE PROPOSAL No. 1—
Introduced by Delegate Jackson, Chairman, on behalf of
the Committee on Bill of Rights and Elections and Dele-
gates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick,
Wall and Weiss:
A PROPOSAL
Providing for general governmental provisions.
Read.
Lies over under the rules.
COMMITTEE PROPOSAL No. 2—
Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Durlap, Gurisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 3—
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juceau, Kilpatrick, Landrum, LeBreton and O’Neill:

A PROPOSAL
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:

A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 5—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:

A PROPOSAL
Making provisions for the Public Service Commission and necessary provisions with respect thereto.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 6—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sandoz, Tate, Tobias and Vesich:

A PROPOSAL
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 7—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for the settlement of disagreements through arbitration.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 9—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by providing for state and city civil service.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 10—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by providing for municipal fire and police civil service.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 11—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by providing for retirement and survivors’ benefits.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 12—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by prohibiting the leasing of convicts and the employment of convicts in competition with private enterprise and by providing for reimbursement to parishes for expenses incurred resulting from crimes committed in penal institutions.

Read.

Lies over under the rules.

COMMITTEE PROPOSAL No. 13—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL
Making provisions for human resources by providing for settlement of disagreements through arbitration.

Read.

Lies over under the rules.
COMMITTEE PROPOSAL No. 14—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Lethman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Read.
Lies over under the rules.

COMMITTEE PROPOSAL No. 15—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, DeBieux, Edwards, Fontenot, Lowe, McDaniel, Maubrret, Mire, Newton, Nunez, Planhard, Roemer, Schmitt, Slay, Smith, Triche and Winchester:
A PROPOSAL
Relative to the tax structure of the state and to public finance.

Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 1—
Introduced by Dr. Asseff:
A PROPOSAL
For supplemental pay increases for state policemen.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 2—
Introduced by Dr. Asseff:
A PROPOSAL
To protect the sources of information of news reporters.
Read.
Lies over under the rules.

Leaves of Absence
Delegate Avant—Indefinite.
Delegate Sutherland—Indefinite.
Delegate LeBreton—Indefinite.
Delegate Guidry—Indefinite.

Adjournment
Mr. Stagg moved that the Convention do now adjourn until Friday, July 6, 1973 at 12:30 P.M.
Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Friday, July 6, 1973 at 12:30 P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 12:30 o'clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

**PRESENT**

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<thead>
<tr>
<th>Messrs.</th>
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<tr>
<td>Mr. Chairman</td>
<td>Gauthier</td>
<td>Planchard</td>
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<td>Abraham</td>
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<td>Alexander</td>
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<td>Anzalone</td>
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<td>Asseff</td>
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<td>Badeaux</td>
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<td>Bel</td>
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<td>Blair</td>
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<td>Brien</td>
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<td>Brown</td>
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<td>Zervigon</td>
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**ABSENT**

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<tr>
<th>Messrs.</th>
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<tr>
<td>Armentor</td>
<td>Dennery</td>
<td>LeBreton</td>
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<td>Avant</td>
<td>Guilford</td>
<td>Rachel</td>
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<td>Cannon</td>
<td>Haynes</td>
<td>Sutherland</td>
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The Chairman announced that there were 123 members present and a quorum.
diction as sponsors. The secretary of state shall within thirty days assign a title and a number to the proposal, place it in proper form, and certify that it is open for signatures. Denial of certification is subject to judicial review.

Source: New; see, for example, Ala. Const. Art. XI, § 2 (1965).

Comment: To assure that an initiative proposal is in proper form before being included in petitions to be circulated, it is first submitted to the secretary of state. The requirement that it bear at least one hundred sponsors in accord with the Alaska provision to eliminate frivolous applications.

Section 6. Initiative Petitions
To be valid, petitions endorsing such proposal must be filed within one year after certification with the secretary of state who shall attest to their legality within thirty days after each is received. Petitions must be signed by a number of voters of the jurisdiction equal to at least fifteen percent of the largest vote cast in any election in the jurisdiction in the previous ten years. The legislature may provide that fewer signatures are required in any instance. All petitions must comply substantially with such reasonable formalities as may be established by the secretary of state.

Source: New; see, for example, Ore. Const. Art. IV, §1(2b) (1859).

Comment: The 15 percent figure required for an initiative proposal is much higher than the figure needed in most states. Oregon, for example, permits an initiative by six percent of the votes cast in the last gubernatorial election. The figure for most of the states is 5 to 10 percent. However, since this is a new proposal for Louisiana, a high figure should be used to discourage the initiative until the extent of its popularity is established. For example, based on the record turnout of 1,164,614 voters in November 1971, it would require 177,693 signatures to get the initiative proposal on the ballot. The section provides that the legislature may lower the percentage in any instance.

Section 7. Initiative Elections
The proposal shall appear on the ballot with its title and a brief description containing not more than twenty-five words prepared by the interested party. It shall be voted on during the next general election at least ninety days after a sufficient number of petitions have been filed with the secretary of state, or during a special election called for that purpose by the governor or by the local governing authority, provided that the proposal shall have been published once, at least forty-five days before the election, at the expense of the interested party, in the official journal of the state and, in the case of local matters, in the official journal of the local governing authority.

Source: New; see, for example, Ark. Const. Art. V, §1 (1874). 

Comment: Gives the interested party initiating a proposal the right to describe it on the ballot and the obligation of publishing it at least once before the election.

Section 8. Enactment of Initiative Proposals
The proposal shall become law thirty days after approval by a majority of the electors who vote for or against the proposal or at such later date as the proposal may provide.

Source: New; see, for example, Alaska Const. Art. XI, §6 (1956).

Comment: None

Section 9. Limitations of the Initiative
No proposal shall embrace more than one subject nor shall it appropriate money or levy, repeal, or dedicate any tax, except to one subject, nor in any unusual proportion do the electors shall not be reactivated for two years after its defeat.

Source: New; see, however, Alaska Const. Art. XI, §7 (1956).

Comment: This section essentially prohibits use of the initiative for fiscal purposes which standing alone might seriously imbalance the budget of a governing body.

Section 10. Execution of Initiative Provisions
Initiative provisions are self-executing but laws may be enacted to facilitate the use of the initiative. No legislation shall be enacted to impair powers herein reserved to the people.

Source: New; see, for example, Ark. Const. Art. I, §1 (1917).

Comment: The legislature may aid but not detract from the reserved power of the people to use the initiative.

Section 11. Right to Direct Participation
No person shall be denied the right to observe the deliberations of public bodies and examine public documents except in cases established by law in which the demands of privacy exceed the merits of public disclosure.


Comment: This provision considers that basic political rights include not only the right to vote but also the right to participate personally and directly in government by observing public bodies and examining public documents.

Section 12. Oath of Office
Electors before entering upon the duties of their respective offices shall take the following oath or affirmation: "I, (A B), do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution and laws of this state and that I will faithfully and impartially discharge and govern all the duties incumbent upon me as ———according to the best of my ability and understanding, so help me God."


Comment: The section is virtually identical to the 1921 preamble except that the word "exempt" as otherwise provided in the Constitution", have been deleted as unnecessary since there have been no exceptions to the oath of office.

Section 13. State Capital
No capital of Louisiana is the city of Baton Rouge.


Comment: This complies with Act 2 of the 1972 Regular Session.

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 2—

A PREAMBLE

We, the people of Louisiana, grateful to Almighty God for the civil, political, economic, and religious liberties we enjoy, and desiring to protect individual rights to life, liberty, and property; afford opportunity for the fullest development of the individual; assure equality of rights; provide for the health, safety, education, and welfare of the people; maintain a representative and orderly government; protect domestic tranquility; provide for the common defense; and secure the blessings of freedom and justice to ourselves and our posterity, do ordain and establish this constitution.


Comment: The 1921 preamble stressed liberty; the proposed preamble stresses both individual rights and the general interest of the people in establishing the constitution. The preamble is not a legally binding part of the constitution, it is not a source of power for any department of the government. Instead, the preamble indicates the general purposes for which the people ordain and establish a constitution. Jackson v. Massachusetts, 197 US 11, 22 (1904).

ARTICLE I. DECLARATION OF RIGHTS

Section 1. Origin and Purpose of Government

Section 1. All government, of right, originates with the people, is founded on their will alone, and is instituted to secure the rights of the individual and for the promotion of the public welfare. Its only legitimate ends are to secure justice for all, preserve peace, and promote and protect the rights, happiness, and general welfare of the people. The rights enumerated in this article are inalienable and shall be preserved inviolate.


Comment: The 1921 provision has been changed to emphasize that the purpose of government is to protect both individual rights and the general welfare of the people and that rights are inalienable.

Section 2. Due Process of Law

Section 2. No person shall be deprived of life, liberty, property, or other rights without substantive and procedural due process of law.


Comment: The 1921 provision was changed to emphasize that due process is a protection for all rights and substantive
due process is protected as well as fair procedures. The 1921 provisions on expropriation are expanded in a separate section on the Right to Privacy. Section 3. Right to Privacy

Section 3. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches or seizures. No warrant shall issue without probable cause, supported by oath or affirmation particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Such person adversely affected by a search or seizure conducted in violation of this section shall have standing to raise the illegality of that search or seizure in the appropriate court of law.

Source: New; see, however, L. Const. Art. I, § 7 (1921).

Comment: The 1921 provisions have been changed to stress that communications and personal papers are included in the right to privacy. A search warrant is to include the lawful purpose or reason for the search. In addition, persons protected against illegal searches and seizures include not only the person whose house or property has been illegally searched but also any other person adversely affected by the illegal search.

Section 4. Right to Property

Section 4. Every person has the right to acquire by voluntary means, to own, to control, to enjoy, to protect, and to dispose of private property. The right is subject to the public policy and to the law of forced heirship. Property shall not be taken or damaged except for a public and necessary purpose and with just compensation previously paid to the owner or into court for his benefit. The determination of just compensation or the full extent of his loss and has the right to a trial by jury to determine such compensation. No business enterprise or any of its assets shall be taken for the purpose of operating that enterprise or for the purpose of halting competition with government enterprises or intangible assets of any business enterprise be taken. Unattached movable property shall not be expropriated except when necessary in emergencies to save lives or property, or personal effects, other than contraband, shall never be taken. The issue of whether the expropriated purpose be public and necessary shall be a judicial question, and determined as such without regard to any legislative assertion.


Comment: The first sentence of the section contains language paralleling that used by the U. S. Supreme Court in Lynch v. Household Insurance Corp., 92 S. Ct. 1133, 1118 (1972) in upholding a right to property by virtue of the due process clause of the Fourteenth Amendment to the U. S. Constitution. Similar provisions are contained in the California, Colorado, and Nevada Constitutions and the American Convention on Human Rights. See source above. The right to property is to be limited in this section, however, by the law of forced heirship. The term "full extent of the loss" (See Mont. Const. cited above) is intended to permit the owner whose property has been taken to remain in equivalent financial circumstances after the taking. It is intended that a business shall not be taken over for the purpose of operating it, although presumably a business could be terminated in an orderly manner. Personal effects are intended to include money, stocks, bonds, objects of art, books, papers, essential tools of trade, and clothing. Contraband, however, is an exception to the right of compensation against taking personal effects. The reservation of trial by jury is not intended to interfere with a "quick-taking" statute since compensation could initially be paid into court. The term "taking" is to apply to both "expropriation" and "appropriate." The right to compensation for "appropriation" no longer has a special status in Louisiana law. Finally determination of the purpose for the taking would be a judicial question without regard to legislative assertions, just as it is in the Arizona and Colorado Constitutions cited above.

Section 5. Right to Privacy

Section 5. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches or seizures. No warrant shall issue without probable cause, supported by oath or affirmation particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Such person adversely affected by a search or seizure conducted in violation of this section shall have standing to raise the illegality of that search or seizure in the appropriate court of law.

Source: New; see, however, L. Const. Art. I, § 7 (1921).

Comment: The 1921 provisions have been changed to stress that communications and personal papers are included in the right to privacy. A search warrant is to include the lawful purpose or reason for the search. In addition, persons protected against illegal searches and seizures include not only the person whose house or property has been illegally searched but also any other person adversely affected by the illegal search.

Section 6. Freedom from Intrusion

Section 6. No person shall be quartered in any house without the consent of the owner or lawful occupant.


Comment: The 1921 provision is broadened to include any "person" in lieu of "soldier, sailor, or marine," to include "owner or lawful occupant" in lieu of "owner," and to eliminate the exception during time of war.

Section 7. Freedom from Discrimination

Section 7. All persons shall be free from discrimination on the basis of race, color, creed, national ancestry, and sex in access to public accommodations or in the sale or rental of property by persons or agents who derive a substantial income from such business from whom such person, from whom such person, sells or rents a home.

The prohibitions intended to those "who derive a substantial income from such business activity" as opposed to an individual homeowner selling or renting his own home.

Section 8. Right to Civil Cases

Section 8. In all civil cases, except summary, domestic, and adoption cases, the right to trial by jury shall not be abridged. No fact determined by a judge or jury shall be examined on appeal. Determination of facts by an administrative body shall be subject to judicial review.


Comment: This section abandons the practice of appellate court review of the facts determined by the judge or jury in the lower court. It enlarges the right to trial by jury in civil cases. L. Const. Art. VII, § 29 (1921).

Section 9. Freedom of Expression

Section 9. No law shall abridge the freedom of every person to speak, write, publish, photograph, illustrate, or broadcast on any subject or to gather, receive, or transmit knowledge and information so that the person is protected against the abuse of that liberty; nor shall such activities ever be subject to censorship, licensure, registration, control, or special taxation.

Source: New; see, however, U. S. Const. Amend. 1.

Comment: The section is intended to be a strong assertion of the right to free speech. Under the section, suits for libel and slander would still be permitted, however, and truth would be a defense in such suits.

Section 10. Freedom of Religion

Section 10. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof.


Comment: Modernization of language. No substantive change.

Section 11. Freedom of Assembly and Movement

Section 11. No law shall impair the right of every person to assemble peaceably, to petition government for a redress of grievances, to travel freely within the state, and to enter and leave the state. Nothing herein shall prohibit quarantines...
or restrict the authority of the state to supervise persons sub-
ject to parole or probation.


Comment: The section is intended to strengthen the tradi-
tional freedom of assembly provision and to add a pro-
vision recognizing freedom of movement. The latter pro-
vision does not affect restrictions on the freedom of
movement of convicted persons on parole. Under the sec-
on on Right to Humane Treatment, the rights of persons
convicted are not fully restored until the termination of
state or federal supervision for any offense and this sec-
tion is inapplicable with that proviso. The section also
does not restrict movement of persons under quar-
tine for medical reasons or in other emergency situations.

Section 12. Rights of the Accused

Section 12. When a person has been detained, he shall
immediately be informed of his legal rights and the reason
for his detention. In all criminal prosecutions, the accused
shall be precisely informed of the nature and cause of
the accusation against him. At all stages of the proceedings,
every person shall be entitled to assistance of counsel of his
choice. He shall be entitled to challenge the court in indigent
cases if charged with a serious offense.

Source: See, however, La. Const. Art. I, §§ 10, 11, 12;
Art. VII, § 41 (1921).

Comment: The section is intended to be informed of his rele-
vant legal rights and the reason for his detention as soon
as he is detained. It is then possible that he is entitled to
the early assistance of counsel for indigent cases.

Section 13. Initiation of Prosecution

Section 13. Prosecution of felonies shall be initiated
by indictment or information, provided that no person shall
be held to answer for a capital crime or a felony necessarily
punishable by hard labor, except on indictment by a grand
jury. No person shall be twice placed in jeopardy for the
same offense, except on his own application for a new trial
or where there is a mistrial or a motion in arrest of judgment.

Source: See, however, La. Const. Art. I, § 9; Art. VII,
§ 44 (1921); Art. XV, § 9 (1973).

Comment: The section requires grand jury indictments
for felonies necessarily punishable by hard labor as well as
capital crimes.

Section 14. Grand Jury Proceedings

Section 14. At all stages of the grand jury proceedings,
after arrest, the accused shall have the right to the advice
of counsel while testifying, to compulsory process for pre-
senting witnesses to the grand jury for interrogation, and to
any transcribed testimony of any witnesses appearing before
the grand jury in his case.

Source: See, however, La. Const. Art. I, § 9 (1921); U. S.
Constitution, Amend. 6.

Comment: No change with respect to the secrecy of the grand
jury is anticipated. The “accused” is a person who has
been arrested or otherwise booked with an offense requir-
ing an indictment and who is permitted to appear before
the grand jury. In such cases he shall have the right to
the advice of counsel while testifying. The attorney’s role
may be strictly limited to “advising” his client. The ac-
cused also has the right to present witnesses to the grand
jury on his own behalf but the grand jury is under no
obligation to interrogate them. Finally, if testimony in the
grand jury room is transcribed, the accused is entitled to
a transcript of such testimony of witnesses appearing in
his case.

Section 15. Fair Trial

Section 15. Every person charged with a crime shall be
presumed innocent until proven guilty, and shall be entitled
to a speedy, public, and impartial trial in the parish where
the offense or an element of the offense occurred, unless
venue be changed in accordance with law. No person shall
be compelled to give evidence against himself. An accused
shall be entitled to confront and cross-examine the witnesses
against him, to compel the attendance of witnesses, to pre-
sent a defense, and to take the stand in his own behalf.


Comment: The 1921 provisions provide explicitly for excep-
tions to the right to be tried in any inferior court and do not state
that a person may take the stand in his own behalf.

Section 16. Trial by Jury in Criminal Cases

Section 16. Any person charged with an offense or set of
offenses punishable by imprisonment for more than six months
may demand a trial by jury. In cases involving a crime
necessarily punishable by hard labor, the jury shall consist
of twelve persons, all of whom must concur to render a ver-
dict in capital cases or cases in which no parole or proba-
tion is permitted, and ten of whom must agree in others.
In cases not necessarily punishable by hard labor, the jury
may consist of a smaller number of persons, all of whom must
cur to render a verdict. The accused shall have the
right to voir dire and to challenge jurors peremptorily.

Source: See; however, La. Const. Art. I, § 8; Art. VII,
§ 41 (1921).

Comment: The section strengthens the right to trial by jury
by incorporating the rule in Duncan v. Louisiana, 391 US
145 (1968) which recognizes the right to a trial by jury in
cases in which the potential punishment is imprisonment
for six months or more. The provision would also include
the right to a jury trial in all cases in which the potential
penalty is imprisonment for six months or more. The latter may be
beyond the federal requirement. The requirement for
a unanimous jury verdict in cases in which no parole is
permitted is a change from the 1921 provisions where the number
needed to convict in lesser cases is raised from nine to ten.
The right to voir dire or to challenge witnesses for
cause, is expressly stated in this section for the first
time.

Section 17. Right to Bail

Section 17. Excessive bail shall not be required. Before
during trial, a person shall be bailable by sufficient sureties,
unless charged with a capital offense and the proof is
evident and the presumption great. After conviction and
before sentencing, a person shall be bailable if the maximum
sentence which may be imposed is less than five years, and
the judge may grant bail if the maximum sentence which
may be imposed is greater. After sentencing and until final
judgment, persons shall be bailable if the sentence actually
imposed is less than five years, and the judge may grant
bail if the sentence actually imposed is greater.


Comment: This section represents a departure from the 1921
Constitution in permitting bail at the discretion of the
judge in certain situations where it was not permitted before.
It permits bail after conviction and before sen-
tencing as well as after sentencing and before final
judgment.

Section 18. Right to Humane Treatment

Section. No person shall be subjected to torture or to
cruel, unusual, or excessive punishments or treatments, and
further, a person shall be entitled to termination of state or
federal supervision for any offense.


Comment: The 1921 provision is revised to include “exces-
sive” as well as “cruel and unusual” punishments, and
“treatments” are included as well as “punishments.” The
provision on termination of all rights is intended to mean
convicted person automatically recovers all rights recog-
nized in this “Declaration of Rights” at the point at which
supervision ceases. It does not erase his past record; for
example, a multiple offender could still receive a harsher
penalty than a first offender.

Section 19. Right to Vote

Section 19. No person eighteen years of age or older who
is a resident or domiciliary of the state shall be denied the
right to register and to vote, except that this right may be
withheld while a person is conditionally sentenced, sub-
 judicial, or under an order of imprisonment for convic-
tion of a felony.

Source: See; however, Ill. Const. Art. III, §§ 1, 2 (1970);

Comment: Voting is included in the “Declaration of Rights”
because it is regarded as a basic right. As a right, it should be suspended only
in the most serious cases. The Illinois provision does not
even except interdicted persons. The Montana provision
excepts persons of "unsound mind, as determined by a
court. This provision also recognizes a right to register as long as registration is a prerequisite to voting.
Section 20. Right to Keep and Bear Arms
Section 20. A well-regulated militia is necessary to the security of a free state. The right of each person to keep and bear arms for defense shall not be abridged, but this provision shall not prevent the passage of laws to prohibit the carrying of concealed weapons.
Comment: The section is adopted with virtually no change in form from the 1921 provision. The provision relating to the militia is set out as a separate sentence. The right to bear arms is connected with the provision permitting laws to prohibit the carrying of concealed weapons.
Section 21. Writ of Habeas Corpus
Section 21. The writ of habeas corpus shall not be suspended.
Comment: The 1921 provision is revised to recognize the writ of habeas corpus as a right rather than a privilege and to eliminate the exception for suspending it. Emergencies and other times of disorder are precisely the times when the writ is most needed as a right of redress.
Section 22. The Courts
Section 22. All courts shall be open, and every person shall have an adequate remedy by due process of law and justice, administered without denial, partiality, or unreasonable delay for actual or threatened injury to him in his property rights by the negligent or wrongful conduct of others. Neither the state, its political subdivisions, nor any private person shall be immune from suit.
Comment: This provision is intended to broaden the general right of redress recognized in the 1921 provision. The right of redress is recognized for "threatened" as well as "actual" injury or violation of any right of a person. Note: it is to be understood that sovereign immunity is abolished but the legislature may provide for immunity for the governor or other "public persons" in connection with the performance of their official duties.

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 3—ARTICLE III. LEGISLATIVE DEPARTMENT
Section 1. Legislative Power of State; Vesting: Continuous Body
Section 1. (A) The legislative power of the state is vested in a legislature, consisting of a Senate and a House of Representatives.
(B) The legislature shall be a continuous body during the term for which its members are elected.
Source: La. Const. Art. III, § 1 (1921)
Comment: Paragraph (A) rewords without substantive change the present provisions.
Paragraph (B) is new. Term "continuous body" is distinguished from "continuous session." Term "continuous body" means a body which is a viable and ongoing body for the duration of each of the four-year terms of its members rather than a year to year body. At present legislature acts as a body only when convened in actual session and all orders, resolutions, and proceedings cease at the end of the session, unless otherwise provided by law. Leaves no doubt as to authority of legislature to organize itself, select its officers, and establish its standing committees for four-year term of its members. Allows legislature to adopt procedures throughout its legislative sessions in year-round for continuing study and analysis of needed or proposed legislative action. Eliminates necessity for creation of interim committees to meet between sessions. Permits legislature more readily to manage its own operations without actually in session by allowing it to provide for: 1) profiling of bills, 2) formal introduction of bills prior to convening in regular or extraordinary session, 3) assignment of such bills to committees, 4) pre-session committee hearings and determination of reports; and otherwise to exercise its functions year-round and from year to year in an effort to provide more time for informed and deliberative decision-making, benefiting the state and its people.
Note: "continuous body" is not synonymous with "continuous session" and the legislature could only meet in actual session as permitted by Section 2 below.
Section 2. Sessions; Annual; Extraordinary
Section 2. (A) The legislature shall meet in regular annual sessions. In each year the regular session shall not extend for more than sixty legislative days within a one hundred and twenty day period; however, upon the consent of a majority of the elected members of each house, the legislature may extend the regular session in any year for not to exceed fifteen legislative days within the one hundred and twenty day period.
(B) The legislature may be convened at other times by the governor or, at the written request of a majority of the elected members of each house, by the presiding officers of both houses. The governor or the presiding officers of both houses, as the case may be, shall issue a proclamation convening the legislature into extraordinary session. The proclamation shall state the object or objects for convening the legislature in extraordinary sessions, the date on which the legislature is to be convened, and the number of days for which the legislature is convened. The power to legislate, when necessary to maintain public peace, safety and health, shall be limited to those objects specifically enumerated in the proclamation convening the extraordinary session, and the session shall be limited to the number of days named therein, which shall never exceed thirty calendar days.
Comment: Requires legislature to meet in regular annual session, with no restriction as to fiscal matters in odd-year sessions as at present. Establishes length of regular sessions at 60 legislative days held within a 120-day period. Allows for extension of regular session by consent of majority of elected members for up to 15 legislative days within same 120-day period. Term "legislative days" is new. It refers to exact number of days legislature actually meets, sometimes referred to as "working days." Some 14 states either by constitution or statute use "legislative day" concept. It most generally is defined or interpreted to mean, any day on which either or both houses is in session. (See Indiana Statutes 34-10-1-6, and Ind. Code of Justices, 207 So. 2d 336 (Ala. 1972)) Thus, a session by virtue of one house not sitting, comprises a legislative day to be deducted from the total 60 days permitted by this section. However, if neither house is in session both having adjourned or recessed for a later day, meetings of committees of one or both houses would not constitute legislative days.

Continues existing authority of governor and legislature to call extraordinary sessions, but reduces vote necessary for legislature to call itself into session from two-thirds to a majority of elected members of each house. Changes method of legislature calling itself into session by providing that presiding officers of both houses are to issue call or proclamation. Present provision places primary responsibility to call legislature into session when petitioned to do so.
Rewords without substantive change present provision relative to issuance of proclamation and enumeration of objects to be considered.
Reword without substantive change present provision relative to restriction on power to legislate and limitation on maximum number of days of an extraordinary session.
Rewords without substantive change present provision for a convening date, leaving this to be fixed by statute. Note: provision for first convening date after new constitution is adopted likely could be included in a transitional or schedule provision.
Section 3. Size
Section 3. The number of members of the legislature shall be provided by law, but the number of Senate members shall not exceed forty-one and the number of House members shall not exceed one hundred and eleven.
Comment: Establishes a maximum number of members for
11th Days Proceedings—July 6, 1973

Each house of legislature but permits legislature to fix exact size. Maximum allowable number of senators is increased from 39 to 41 and maximum allowable number of representatives is increased from 105 to 111. Deletes those provisions of constitution establishing specific geographic districts.

Section 4. Qualifications; Residence Requirements; Term; Vacancies

Section 4. (A) Every elector who at the time of his election has reached the age of eighteen years shall be eligible to membership in the House of Representatives. Every elector who at the time of his election has reached the age of twenty-one years shall be eligible to membership in the Senate.

(B) No person shall be eligible to membership in the legislature unless at the time of his election he has been a resident of the state for two years and actually domiciled within the legislative district from which he seeks election for one year immediately preceding his election. However, at the first election following the reapportionment of the legislature only, a person may qualify for election from any district created in whole or in part from the district existing prior to reapportionment in which such person was domiciled if he was domiciled in that prior district for at least one year immediately preceding his election. The seat of any member who changes his domicile from the legislative district which he represents shall be vacated thereby, any declaration of a retention of domicile to the contrary notwithstanding.

(C) The members of the legislature shall be elected for terms of four years each.

(D) When a vacancy occurs in either house of the legislature, the remainder of the term shall be filled only by election, as provided by law.


Comment: Reduces age requirement for senators from 25 to 21 years. Specifies 18 years instead of “elector” for age requirement for representatives.

Requires residency in state from five to two years and requires one year of actual domicile in district preceding election. Present constitution requires one-year residence. Makes special provision for first election following reapportionment. Provides that change of domicile (other than residence) requires four-year term of members.

Retains four-year term of members.

Requires any vacancy in legislative office to be filled for remainder of term only by election as provided by law. Present provision requires governor to order elections to fill vacancies.

Section 5. Legislative Apportionment; Judicial Review; Apportionment by Supreme Court

Section 5. (A) Not later than the end of the first year following the year in which the population of this state is reported to the president of the United States for each decennial federal census, the legislature shall apportion the representation in each house on the basis of the total state population as shown by the census. Within ten days after the legislature adopts an apportionment plan the presiding officers of the two houses shall submit the plan to the supreme court for review.

(B) If the legislature fails to apportion itself, the supreme court, upon petition therefor, by the attorney general within ten days after the close of the year above specified shall apportion each house thereof as provided in Paragraph (A) of this Section.

(C) The procedure for review and petition shall be provided by law.


Comment: Replaces present constitutional provisions relating to legislative reapportionment. Requires legislature, not later than the first year following official promulgation of census to reapportion state on basis of total state population. Deletes all provisions specifying geographical makeup of legislative districts.

Grants to state supreme court direct review of legislative reapportionment as well as authority upon petition to apportion the legislature when it fails to do so.

Requires legislature to establish procedures for this review and petition within guidelines and time periods specified in this section. (Replaces Article III, §§2, 3; deletes Article III, §§4, 5 and 6)

Section 6. Judging Qualifications and Election; Procedural Rules; Discipline; Officers

Section 6. (A) Each house shall be the judge of the qualifications of its members, and of the election of its own members, determine the rules of its procedure, and may punish its members for disorderly conduct or contempt and, with the concurrence of two-thirds of its elected members, may expel a member. Expulsion shall create a vacancy in the office.

(B) Each house shall have power to compel the attendance and testimony of witnesses and the production of books and papers before such house as a whole, before any committee thereof, or before joint committees of the houses and shall have the power to punish for contempt those in wilful disobedience to its orders.

(C) Each house shall choose its own officers, including a permanent presiding officer elected from its membership, who shall be designated in the Senate as the president of the Senate and in the House as the speaker of the House of Representatives.


Comment: Revises present provisions providing for each house to judge “qualifications, elections, and returns” of its own members by deleting the word “returns”. Clarifies power to expel by stating that expulsion creates a vacancy.

Retains provision relating to compelling attendance and production of all types of papers or documents and authorizes legislature to punish for contempt those who dare defy its orders.

Removes lieutenant governor as presiding officer of the Senate and provides that each house is to choose its own officers from its members.

Section 7. Privileges and Immunities

Section 7. The members of the legislature shall in all cases, except felony, be privileged from arrest during their attendance at the sessions and committee meetings of their respective houses and in going to and returning from the same. No member shall be questioned in any other place for any speech or debate in either house.


Comment: Revises present provision by extending the privileges and immunities granted legislators during sessions to include committee meetings. Extends privilege from arrest in criminal matters to all offenses not felonies.

Section 8. Conflict of Interest

Section 8. Legislative office is a public trust and every effort to realize personal gain through official conduct is a violation of that trust. The legislature shall enact a code of ethics prohibiting conflict between public duty and private interests of members of the legislature.


Comment: Substantially replaces present constitutional provisions relating to legislative conflict of interest. Deletes requirement that individual legislators disclose personal interest in bills and refrain from voting thereon, as well as provisions relating to sale or trade of votes.

Section 9. Quorum; Compulsory Attendance; Journal; Adjournment; Consent of Other House

Section 9. (A) Not less than a majority of the elected members of each house shall form a quorum to transact business, but a smaller number may adjourn from day to day and shall have power to compel the attendance of absent members.

(B) Each house shall keep a journal of its proceedings which shall be published from day to day and which shall accurately reflect the proceedings of that house, including all record votes. A record vote is a written, printed, or oral vote by yeas and nays.

(C) Whenever the legislature is in session neither house shall adjourn for more than three days to any other place than that in which it is then meeting, without the consent of the other house.


Comment: Clarifies present provision relative to quorum by specifying that it is a majority of the elected members of each house.

Retains requirement for each house to maintain a journal and adds definition of record vote.

Repeals without substantive change provision relating to adjournment of either house for more than three days without consent of the other house.
Section 10. Legislative Auditor

There shall be a legislative auditor who shall be elected by the consent of a majority of the elected members of each house and may be removed by the consent of two-thirds of the elected members of each house. The legislative auditor shall be responsible solely to the legislature and shall serve as fiscal advisor to the legislature. He shall perform such duties and functions relating to the auditing of the fiscal records of state and local governments as are provided by law.


Comment: Replaces present provisions relating to legislative auditor. Provides for his election by a simple majority but requires two-thirds majority to remove. Deletes the detail in present constitution relating to existing executive and legislative functions of legislative auditor and makes the auditor subject to the direction of the legislature and the rules and regulations of the legislature.

Section 11. Salaries of Public Officers; Change

Section 11. Salaries of public officers may be changed only by vote of two-thirds of the elected members of each house of the legislature.


Comment: Changes the vote required in legislature from two-thirds of members to two-thirds of the elected members and deletes phrase "whether fixed in this constitution or otherwise."

Section 12. Local or Special Laws

Section 12. The legislature shall pass no local or special law when a general law is or can be made applicable.

Publication

Source: New

Comment: Replaces the enumeration of prohibited local or special laws contained in Art. IV, § 4 and prohibits all local or special laws where a general law would suffice. Outright prohibition of all local or special legislation is not feasible, for example an appropriation of money, to pay an outstanding judgment is necessarily a special law, a law creating or changing a judicial district is a local law. The major problem under this section is not, "What is a local or special law?" but "When is a general law applicable?" This section does not specify who is to make this determination but it is understood that the courts will.

Section 13. Local or Special Laws; Notice of Intention

Section 13. No local or special law shall be introduced into the legislature unless the intention to introduce such law has been published, without cost to the state, in the locality where the matter or things to be affected are situated on separate days, the last of which is at least thirty days prior to the introduction of such a bill into the legislature. The notice shall state the substance of the contemplated law. Every such bill shall contain a recital that the notice has been given.


Comment: Renews present provision relating to publica-
tion 30 days prior to introduction, but specifies number of times notice is to be published. Deletes requirement that evidence of publication be exhibited in legislature.

Section 14. Suits Against the State

Section 14. The legislature may authorize suit to be filed against the state, its agencies, and political subdivisions, and shall provide a method of procedure and the effect of the judgments which may be rendered therein. Any law enacted for the purpose shall waive immunity from suit and from liability.


Comment: Renews present provisions relating to authorization of suit against the state, its agencies, and political subdivisions. Authorizes legislature to establish procedures for authorizing suit and specifying the effect of judgments.

Deletes present detail and deletes specific provision (Art. XIX, § 26) withdrawing waiver of immunity from suit of certain state and local boards and agencies.

Section 15. Continuity of Government

Section 15. The legislature shall provide for the orderly and temporary continuity of government, in periods of emergen-
cy, until such time as the normal processes of government can be reestablished in accordance with the constitution and laws of the state. It shall also provide for the prompt and temporary succession to the powers and duties of public offices, the incumbents of which may become unavailable to execute the functions of their offices.


Comment: Revises present provision by extending this power to all types of emergencies and not just to those caused by enemy attack. Requires legislature to provide for continuity of government and succession to office in those emergencies.

Section 16. Style of Laws; Enacting Clause

Section 16. The style of the laws of this state shall be: "Be it enacted by the Legislature of Louisiana. It shall not be necessary to repeat the enacting clause after the first section of an act.


Comment: Renews present provision with only style changes.

Section 17. Passage of Bills

Section 17. (A) The legislature shall enact no law and propose no amendment to the constitution except by a bill. Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be confined to one object and shall contain a brief title indicative of its object.

(B) All bills enacting, amending, or reviving laws shall set forth completely the provisions of the laws enacted, amended, or revived, and no system or code of laws shall be adopted by general reference to such system or code of laws.

(C) No bill shall be so amended in its passage through either house as to change its original object.

(D) Every bill shall be read at least by title on three separate days in each house. No bill shall be considered for final passage unless it has been reported on by a committee.

(E) No bill which has been rejected by either house may again be proposed or considered in the same house during the same session without the consent of a majority of the members elected to the house which rejected it.

(F) No amendments to bills by one house shall be concurred in by the other, nor shall any conference committee report be concurred in by either house except by the same vote required for final passage of the bill. The vote thereon shall be by record vote.

(G) No bill shall become law without the concurrence of at least a majority of the members elected to each house. Final passage of a bill shall be by record vote. At the request of one-fifth of the members elected to either house, a record vote shall be taken on any other measure or for any other purpose.


Comment: Restates present provisions requiring enactment of laws only by bill. Retains requirement that a bill be concurred in by the house which rejected it.

Restates provision prohibiting amendments which are not germane to object of bill as introduced. Renews procedure for reading of bills in legislature. Requires reading of a bill at least by title on three separate days in each house. Retains requirement that bills be reported on before consideration for final passage but removes requirement for reading in full.

Retains without substantive change provision relating to reconsideration of rejected bills.

Restates provisions relating to vote requirement for concurrence in amendments of either house or conference committee reports by specifying that concurrence in either case is to be by same vote required for final passage.

Restates provisions relating to the vote required for passage of a bill. Specifies that a bill must receive at least a majority of votes in each house to pass. Retains provision that one-fifth of elected members in either house may require a record vote on other than final passage.

Section 18. Appropriations

Section 18. (A) No money shall be withdrawn from the
state treasury except through specific appropriation, and no appropriation of money shall be made for contingencies or for longer than two years.

(B) All bills for raising revenue or appropriating money shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

(C) The general appropriation bill shall be itemized and shall contain only appropriations for the ordinary operating expenses of government, public charities, pensions, and the public debt and interest thereon.

(D) All other bills for appropriating money shall be for a specific purpose and for a specific amount.

(E) Any bill appropriating money in an extraordinary session of the legislature convened after final adjournment of the regular session held in the last year of the term of office of a governor, except for expenses of the legislature, shall require the approval of three-fourths of the elected members of each house.


Comment: Revises present provisions relating to withdrawal of money from state treasury. Retains prohibition against appropriations for contingencies or for longer than two years.

Revises without substantive change provision relating to origination of revenue or appropriation bills.

Revises without substantive change present provisions relating to general appropriation bill.

Revises without substantive change present provision relating to public charities.

Revises provision relating to appropriation bills in extraordinary sessions held in the period 90 days before primary election for governor and ending at expiration of the governor’s term to bring it into line with provision dealing with annual sessions, since a 90-day period could overlap with 120-day period if date for primary election were changed.

Section 19. Signing of Bills; Delivery to Governor

Section 19. (A) A bill that has been passed by both houses of the legislature shall be signed by the presiding officers of both houses and shall be submitted to the governor for his signature or other action. Delivery to the governor shall be within three days after passage.

(B) No joint, concurrent, or other resolution shall require the signature of the presiding officer of the other house.


Comment: Revises present provisions relating to the signing of bills by the presiding officers of both houses. Deletes requirement for signing in open session. Allows delivery of signed bills to governor up to three days after passage, instead of present requirement for delivery on same day. Governor can sign, veto, or take no action on bills. If no action is taken, a bill becomes law after a certain period as specified in Section 20 below.

Section 20. Signature of Governor on Bills; Veto

Section 20. (A) A bill shall become law if the governor does not sign or veto the bill within ten days after its delivery to him if the legislature is in session or within twenty days if the legislature is adjourned.

(B) If the governor does not sign or veto the bill, he may veto it and return it to the legislature, with his veto message, within twelve days after its delivery to him if the legislature is in session. If the legislature has adjourned before the governor vetoes or returns one or more bills, he shall return them with his veto message to the legislature at its next session. Any bill thus returned by the governor and subsequently approved by two-thirds of the elected members of each house shall become law.

(C) The presiding officers of both houses shall convene the legislature in veto session upon the written request therefor, by at least a majority of the members elected to each house, on the thirty-fifth day after final adjournment of each session, for the sole purpose of reconsidering the bills vetoed by the governor. The veto session shall not exceed five consecutive days.

Deletes provision (Art. IX, §3) on removal by address of legislature.

Section 23. Removal by Suit; Officers Subject; Commissioner of Suit

Section 25. The legislature shall provide for the removal by suit of any state, district, parochial, ward, or municipal officer except the governor, lieutenant governor, and judges of the courts of record.


Comment: Replaces present provisions by requiring legislature to enact laws for removal of public officials by suit, removes detail from present constitution.

Section 26. Recall

The legislature shall provide for the recall by election of any state, district, parochial, ward, or municipal officer except judges of the courts of record. The sole issue at any recall election shall be whether such officer shall be recalled.


Comment: Replaces present provisions relating to recall of public officials to require legislature to enact laws for recall by election. (See R.S. 42:341-357)

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 4—

ARTICLE IV. EXECUTIVE DEPARTMENT

Section 1. Composition

(A) The executive branch shall consist of a governor, lieutenant governor, secretary of state, attorney general, treasurer, and all other executive offices, agencies, and instrumentalities.

(B) All offices, agencies, and other instrumentalities of the executive branch of state government and their respective functions, powers, and duties and responsibilities, except for the offices of governor and lieutenant governor, shall be allocated according to function, within not more than twenty departments.


Comment: The 1921 Constitution provides for an "executive department" of state government composed of 10 officials, nine of whom are elected. The constitution also provides for an elected attorney general who is an officer of the judicial department, and an elected superintendent of education.

The proposed section defines the "executive branch of state government" as including five statewide elected officials and all other agencies, offices, and instrumentalities having executive functions. Deleted as elected officials are the comptroller, register of the land office, commissioner of insurance, custodian of voting machines, and superintendent of education. The commissioner of conservation is no longer listed as a constitutional officer to be appointed by the governor. The attorney general is classified as an executive rather than a judicial officer. The proposed section also provides for a maximum of twenty departments in the executive branch to be grouped according to function.

Section 2. Qualifications

(A) To be eligible for any statewide elective office a person must have attained the age of twenty-five years by the date of his election and be a citizen of the United States and of this state for at least five years immediately preceding the date of his election. He shall hold no other public office, except by virtue of his office, during his tenure in office.

(B) The attorney general shall have been admitted to the practice of law in this state for at least the five years immediately preceding his election.


Comment: The 1921 Constitution provides that no person shall be eligible to the offices of governor and lieutenant governor who is "less than thirty years of age," or who has "served for more than ten years preceding his election" been a citizen of both the state and the United States, or who "holds office under the United States at the time of the election". The attorney general is required, by the 1921 Constitution, to be "learned in the law", and to have "resided and practiced law" as a "duly licensed attorney" in the state for "at least the five years" preceding his election. These officials and all other statewide elected officers are subject to a general constitutional prohibition against dual office-holding; otherwise, there are presently constitutional eligibility requirements for at least the eleven elected executive officers.

The proposed section limits the minimum age for eligibility to all statewide elective positions at twenty-five, and to a term period of four years, and provisions for five years immediately preceding election. The provision against dual office-holding is extended to all offices except those held ex officio. The proposed section also requires that the attorney general shall have been admitted to the practice of law in Louisiana for at least five years immediately preceding his election.

Section 3. Elections and Terms

(A) The governor, lieutenant governor, secretary of state, attorney general, and treasurer shall each be elected statewide for a term of four years by the electors of the state, at the time and place of voting for members of the legislature. A person who has served as governor for more than one and one-half terms in two consecutive terms shall not be elected governor for the next succeeding term.

(B) The returns of the election of such officials shall be transmitted to and be promulgated by the secretary of state in a manner as may be provided by statute. The person having the greatest number of votes for each office shall be declared elected.

(C) If two or more persons have an equal, and the highest number of votes for an office, they shall draw lots to determine the result. The secretary of state shall arrange for the drawing of lots within ten days after the election results are promulgated, and the decision as to the winner shall be final and conclusive. Election contests shall be decided by the courts as may be provided by statute.

(D) The term of office of each elected official shall begin at noon on the second Monday in March next following the election.

(E) No official shall be elected statewide, except as provided by this constitution.


Comment: The section provides that all statewide elected officials in the executive branch shall be elected to serve four-year terms.

In Paragraph (A) the elective offices of comptroller, register of the land office, commissioner of agriculture, commissioner of insurance, custodian of voting machines, and superintendent of education are deleted from the source provisions in conformity with provisions of Section 1.

An elected governor continues to be prevented from serving from more than two consecutive terms. The provision that a person succeeding to the governorship, with more than one-half a term remaining, can serve only one consecutive term is deleted. The no-lottery provision is retained.

In Paragraph (B) the secretary of state rather than the legislature as in the source provision promulgates the election returns of all statewide elective officers.

In Paragraph (C) which provides that tie votes shall be decided by drawing of lots by the two candidates receiving the same and highest number of votes is new.

In Paragraph (D) the time of taking office for executive officers is changed from the first day following annual meeting of their respective agencies to the first day following their election. (Note: The Schedule must provide that incumbent terms are not affected by this change.)

Paragraph (E) is new, and provides that no official shall be elected statewide except those named in the constitution.

Section 4. Compensation

(A) The compensation of each elected official within the executive branch shall be fixed by the legislature and shall not be increased or decreased for the term for which the official is elected. No state official shall receive a salary in excess of that paid to the governor.

(B) The lieutenant governor when acting as governor shall receive the salary of the governor, and an appointed assistant when acting as an elected official shall receive the same salary as the elected official.

Comment: The 1921 Constitution sets the salaries of constitutional officers, and provides that the salary of any public officer may be changed by a two-thirds vote of the membership of either house of the legislature. The present by-law of the legislature also provides that the lieutenant governor, when discharging the duties of governor shall receive the same compensation as the governor.

The revised section authorizes the legislature to fix the salary of each elected official within the executive branch. The revision prohibits an increase or decrease in salary for the term for which the official is elected. The proposed section further provides that no state official shall receive a salary in excess of that paid to the governor.

The proposed section also provides that compensation of constitutional successors to elected officials in the event of vacancies, absences, or inability shall be the same as that of the elected official.

Section 5. Powers and Duties of Governor

Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state and shall faithfully support the constitution and laws of the state.

Comment: This paragraph changes the source provision that the “supreme executive power” is vested in the governor and, instead, designates him as the state’s “chief executive officer”. The source provision requiring the governor to take an oath that “the laws be faithfully executed” is changed to require him to “faithfully support the constitution and laws of the state”.

(B) Legislative Reports and Recommendations. The governor shall at the beginning of each regular session of the legislature, and may at other times, make reports and recommendations to the legislature concerning the affairs of the state, including its complete financial condition.


Comment: The 1921 Constitution requires the governor to give periodic reports to the legislature concerning affairs of the state and to recommend measures for its consideration.

The proposed section requires the governor to make such reports and recommendations to the legislature at the beginning of each regular session. The source provision concerning the financial condition of the state is replaced by legislation concerning the state’s financial condition.

(C) Reports and Information. All department heads shall provide the governor with reports and information in writing or otherwise, including such information as they may require, to their respective departments regarding matters relating to investigations of the governor’s office.


Comment: The 1921 Constitution permits the governor to require written information and financial reports from all agencies in the executive branch of state government and from certain local units of government.

The proposed section requires “department heads” to provide the governor with information on their departments when so requested. Information on matters relating to investigations of the governor’s office is exempted from the requirement.

(D) Operating Budget. The governor shall prepare the state’s annual operating budget, and shall transmit copies thereof to the legislature at least two weeks prior to the first day of each annual session. Upon adoption of the operating budget by the legislature, it shall become the official state budget and shall be executed and administered by the proper state officials. Appropriations for the year shall not exceed annual revenues as anticipated by the governor in the operating budget.

SOURCE: New

Comment: The provision requires the governor to prepare, execute, and administer the state budget which he is to present to the legislature at least two weeks prior to the first day of each annual session. Total annual appropriations shall not exceed annual anticipated revenues as determined by the governor in the operating budget.

(E) Capital Budget. The governor shall prepare annually a five-year capital program and shall submit to each regular session of the legislature a proposed capital budget as provided by statute implementing the first year of the program. All projects approved by the legislature shall be made a part of the capital budget, and the operating budget for each year shall provide for amortization of the cost of each such capital project.

Comment: The provision requires the governor to prepare annually a five-year capital program and a capital budget which shall include all capital projects. The annual operating budget is to provide funds for amortization of capital cost.

(F) Pardon, Commutation, Reprieve, Remission. Except in cases of conviction upon impeachment, the governor may grant, commute, or remit sentence, and may pardon those convicted of offenses against the state and may remit fines and forfeitures imposed for such offenses. In addition, the legislature may provide other post-conviction remedies.

Sources: La. Const. Art. V, §§10 (1921)

Comment: The 1921 Constitution grants the governor power to grant reprimands for all offenses against the state. Except in cases of impeachment or treason, the governor may grant pardons, commute sentences, and remit fines and forfeitures on recommendation of a majority of the board consisting of the lieutenant governor, attorney general, and the presiding judge of the supreme court. The governor shall, under present law, grant temporary reprieves for treason, but the final pardoning power for this crime is vested in the legislature. The source provision requires that any pardon be delivered to the governor for execution.

Comment: The proposed section permits the governor to grant reprieves, grant commutation of sentence, and pardon those convicted of offenses against the state, except in cases of conviction upon impeachment. Pardons shall be for offenses against the state, and in each case the governor shall return the document to the house in which it originated within twenty-four hours. If he fails to return the bill within the time otherwise provided by this constitution, it shall become law.

Source: La. Const. Art. IV, §§2; Art. V, §§15, 17 (1921)

Comment: The source provision requires the governor to sign all bills passed by both houses of the legislature. Certain legislative documents, such as resolutions and proposed constitutional amendments, are specifically exempted from this requirement. Presently, the governor must sign a bill within ten days after it is received in his office, otherwise, it becomes law. Procedural details for vetoing, overriding vetoes, and promulgation of signed legislation are set forth in the source provisions.

The proposed section revises the present law by deleting all references to legislative action on vetoes, with the understanding that these provisions will appear in the proposed article dealing with the legislature. It is also assumed that the provision exempting legislative documents from gubernatorial signature is included in the legislative article. As the present law, the proposed section provides that bills sent to the governor must be documented on receipt of their delivery to the governor, and reasons must be given for his veto. Under the new provision, the governor has thirty rather than ten days in which to act; if he fails to act within the time limit, the bill becomes law.

Comment: The governor may veto any bill. The veto power of the governor shall be void unless the veto is overridden as provided for the passage of any bill over a veto.

Comment: The proposed section either veto line items, or use other means provided in the bill, in order that total appropriations for each year shall not exceed anticipated revenues for the year.

Comment: Paragraph (1) which permits the governor to veto line items in an appropriation bill restates the source provision without substantive change. Paragraph (2) requires the governor either to veto line items in an ap-
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proporation bill, or use other means given in the bill to assure that total appropriations for the year do not exceed amount of revenue.

(1) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the heads of all departments in the executive branch whose election or appointment is not provided for by this constitution and all boards and commissions in the executive branch whose election or appointment is not otherwise provided for by this constitution or by statute.

(2) Should the legislature be in session, the governor shall appoint, for the Senate to confirm, those appointed within forty-eight hours after the appointment is made. Failure of the Senate to confirm an appointment prior to the end of the session shall be equivalent to rejection.

(3) Should the legislature not be in session, the governor may make interim appointments which shall expire at the end of the next session of the legislature, unless submitted to and confirmed by the Senate during such session.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

Source: La. Const. Art. IV, §1(a); Art. V, §§8, 10; Art. VI, §22(e); Art. VIII, §18 (1921).

Comment: The 1921 Constitution requires the governor to appoint, with senatorial confirmation, constitutional officers whose appointment or election is not otherwise provided for in the constitution. The legislature is permitted to provide the mode of filling statutory offices. The proposed section requires the governor to appoint, with senatorial confirmation, all statutory and constitutional executive department heads and all boards and commission members whose election or appointment is not otherwise provided for by the constitution or by statute.

Under the present law commissions must be signed by the governor and countersigned by the secretary of state. The governor is authorized to make recess appointments where not otherwise provided for in the constitution. Commissions granted for recess appointments are to expire at the end of the next legislative session. Failure of the governor to send a name to the Senate is equivalent to rejection, and persons rejected cannot be appointed to the same position. Sending a Senate a nominee's name is substantially the same as the present law, except that should the legislature be in session, the governor must submit names for Senate confirmation within forty-eight hours of the appointment. Failure of the Senate to confirm an appointee before the end of a session is equivalent to rejection. The provision requiring signatures on commissions has been deleted.

(5) Removal. The governor may remove from office those whom he appoints, except those appointed for a term fixed by this constitution or as may be fixed by statute.

Source: New

Comment: Under the present constitution the governor has no general authority to remove those whom he appoints. Appointed officers are subject to constitutional removal by impeachment, recall, and removal by suit in district courts. (See 1921 Constitution, Art. IX, §1.)

The proposed section allows the governor to remove without cause those whom he appoints, except those appointed for fixed terms.

(K) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He may call out the armed forces of the state to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.


Comment: The proposed section restates the source provision without substantive change. Authority is granted to the governor to call out the militia for any emergency as well as for the specifically named purposes of preserving law and order, suppressing insurrection, and repelling invasion.

(L) Extraordinary Session. (1) The governor may convene the legislature into extraordinary session by issuance of a proclamation to the legislature at least five days prior to the convening of the session. The proclamation shall state the specific subjects to be considered, the date and time the legislature is to convene, and the number of days for which the legislature is convened. The subject matter of those bills may be amended, by proclamation to the legislature, until forty-eight hours prior to the hour at which the legislature convenes. The power to legislate, under the penalty of nullity, shall be limited to the subjects specially enumerated in the proclamation. In the event of convening an extraordinary session the legislature shall be limited to the time named therein, and shall not exceed thirty days.

(2) The governor may convene the legislature in extraordinary session without prior notice or proclamation on matters of public safety or health, such as epidemics, attacks by the enemy, or public catastrophe.


Comment: The present constitution permits the governor to convene the legislature in special session in cases of emergencies and on other occasions as he sees fit, and requires him to do so when petitioned by the legislature. Procedural details concerning petitions, notices, and proclamations are given. Special sessions, except in cases of emergency, are limited to 30 days and the power to legislate is confined to the subjects enumerated in the call. When the governor convenes the legislature into special session on his own initiative, except for emergencies, he must give five days notice to the legislature.

The proposed revision relates only to special sessions called by the governor and deletes all references to procedures whereby the legislature can convene itself into special session. It is assumed that power of the legislature to convene itself will be provided in the legislative articles.

The governor, under the proposed revision may convene the legislature in emergencies without prior notice or proclamation. He may do so at other times by issuing a proclamation to the legislature, and prior to the convening of the session. The sessions are to be limited by the items in the proclamation and the proclamation cannot be amended for a 48-hour period prior to the hour at which the legislature convenes. Special sessions continue to be limited to 30 days. Much of the procedural detail concerning calls for special sessions has been clarified or deleted.

Section 6. Powers and Duties of the Lieutenant Governor Section 6. The lieutenant governor shall serve ex officio as a member of every standing, joint, or committee, on which the governor serves, exercise the powers delegated to him by the governor, and have such other powers and perform such other duties in the executive branch as may be authorized by this constitution or provided by statute.

Source: La. Const. Art. XXIV, §4 (a); Art. V, §§8, 10; Art. VI, §22(e); Art. VIII, §18 (1921).

Comment: The 1921 Constitution provides that the lieutenant governor shall be ex officio president of the Senate with authority to vote but only when the Constitution as a member of the State Highway Advisory Board, the Board of Liquidation of State Debt, the Board of Registration, and the State Pardon Board. The proposed revision provides that the lieutenant governor shall serve ex officio on every statutory committee, board, and commission on which the governor serves, exercise powers delegated to him by the governor, and perform other executive functions as may be provided by the constitution or statute.

Section 7. Powers and Duties of the Secretary of State Section 7. There shall be a department of state headed by the secretary of state, who shall serve as the chief executive officer and administer the election laws; administer the laws relative to the registration of ships and vessels; administer the laws relative to public utilities; administer the laws relative to trademarks; exercise jurisdiction in the courts of this state; attest all laws; promulgate, publish, and retain the originals of all laws enacted by the legislature; counter sign all commissions and proclamations, and commissions; administer and preserve the official archives and records of the state; serve as the agent of the great seal of the State of Louisiana and attest therewith all official documents, proclamations, and commissions; administer and preserve the official archives and records of the state; and perform such other duties as may be provided by this constitution or statute.

Source: La. Const. Art. V, Sec. 21; Art. VI, §22(e) (1921).

Comment: The 1921 Constitution provides that the secretary of state shall be a member of the State Highway Ad-
visory Board. It also sets forth in various provisions a number of ministerial duties of the secretary relative to the publication of legislation, countersigning of commissions, receiving and recording of public notices, petitions, and election returns.

The proposed section is a new provision which creates a department of state, headed by the secretary of state. It sets forth the duties of the secretary which are similar to his present constitutional and statutory duties, except that the section gives the secretary final authority to administer election laws, including the voting machine law. Since 1960 the custodian of voting machines, a state-wide elected official, has administered the state's voting machine law. From 1940 to 1960, the law was administered by a board of voting machines and a custodian, who was the secretary of state. The secretary of state was a member of the board from 1940 to 1959.

Section 8. Powers and Duties of the Attorney General
Section 8. There shall be a department of justice, headed by the attorney general who shall be the state's chief legal officer. As may be necessary for the assertion or protection of the rights and interests of the state, the attorney general shall have authority to:

1. institute, conduct, and prosecute or intervene in any legal actions or other proceedings, civil or criminal;
2. exercise supervision over the several district attorneys throughout the state; and
3. for cause, supercede any attorney representing the state in civil or criminal proceedings.

He shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Source: La. Const. Art. III, §31; Art. V, §10; Art. VI, §22(e); Art. VIII, §§55, 56 (1921).

Comment: The 1921 Constitution creates the office of attorney general as a statewide elective official in the judicial branch. His powers and duties are established in various constitutional articles. Primarily, the attorney general is to institute, conduct, and prosecute or intervene in civil suits in which the state has an interest, and to supervise district attorneys. The official is also made a member of the State Highway Advisory Board, the Legislative Bureau, and the State Pardon Board.

The proposed section places the attorney general and the department of justice in the executive branch. The attorney general is made the state's "chief legal officer" and, in addition to the duties presently granted, he is given the authority to supercede any attorney representing the state in civil or criminal proceedings.

The revision of this section will serve to void the ruling in Kemp v. Stanley, 264 La. 110, 16 So. 2d 1 (1945), which limited the authority of the attorney general to intervene in legal matters in which the state has an interest.

Section 9. Powers and Duties of the Treasurer
Section 9. There shall be a department of treasury headed by the state treasurer who shall be responsible for the custody, investment, and disbursement of the public funds of the state. He shall report annually to the governor and the legislature one month in advance of the regular session on the financial condition of the state, and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Source: Art. IV, §1(a); Art. VI, §22(e) (1921).

Comment: Fiscal duties of the treasurer are set forth in various articles and sections of the present constitution. The treasurer is a constitutional member of the State Highway Advisory Board and the Board of Liquidation of State Debt.

The proposed section creates a treasury department to be headed by a state treasurer. The treasurer is responsible for the "custody", investment, and disbursement of state funds. He is required to make an annual financial report to the governor and the legislature.


Comment: The 1921 Constitution provides that the attorney general shall perform the duties of the office until another attorney general has been elected and qualified.

The 1921 Constitution also provides that statewide elected officials, exclusive of the governor, lieutenant governor, commissioner of agriculture, and register of the state land office, are each authorized to appoint and remove each assistant subject to confirmation by the Senate, and may remove him at his pleasure. The official shall submit such appointment to the Senate in the same manner in which the governor submits appointments, and shall be subject to the same procedures and limitations in connection therewith as are imposed upon the governor. The first assistant shall possess the same qualifications as those required for election to that office.


Comment: The 1921 Constitution permits a number of state-wide elected officials to appoint and remove assistants who, under certain conditions, have authority to perform acts and duties of the elected officer.

The proposed section requires Senate confirmation of the appointed assistant of the secretary of state, attorney general, and treasurer, with provision for their removal at the pleasure of the appointing officer. The first assistant is required to have the same qualifications as are required for those elected to the office.

Section 11. Vacancy in Office of Governor
Section 11. The order of succession in the office of governor in the event of vacancy shall be (1) the elected lieutenant governor, (2) the elected secretary of state, (3) the elected attorney general, and (4) the presiding officer of the Senate, (6) the speaker of the House of Representatives, and then as may be provided by statute.

Successors shall serve the remaining term for which the governor was elected.


Comment: The 1921 Constitution establishes the following order of succession in case of vacancy in the office of governor: lieutenant governor, president pro tempore of the Senate, secretary of state acting until a president pro tempore is elected.

In the proposed section the first priority in the event of a vacancy in the office of governor is given to statewide elected officials, followed by legislative officers and, thereafter, as the legislature may provide by law. Successors are to serve the unexpired term for which the governor was elected.

Section 12. Vacancy in Office of Lieutenant Governor
Section 12. Whenever there is a vacancy in the office of the lieutenant governor, the governor may fill any unexpired term.

These same officers shall serve for the remainder of the term for which the official was elected.


Comment: The 1921 Constitution provides that in the event of a vacancy in the office of the lieutenant governor, the president pro tempore of the Senate shall discharge the duties of the office.

The proposed section requires that a vacancy in the office of the lieutenant governor be filled by the governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.

Section 13. Vacancies in Other Statewide Elective Offices
Section 13. The order of succession in any other statewide elective office, in the event of a vacancy in such office, shall be as provided by the legislature.

Sources to such offices shall serve for the unexpired term for which the official was elected.


Comment: The 1921 Constitution provides that the attorney general shall perform the duties of the office until another attorney general has been elected and qualified.

The 1921 Constitution also provides that statewide elected officials, exclusive of the governor, lieutenant governor, commissioner of agriculture, and register of the state land office, are each authorized to appoint and remove an assistant subject to confirmation by the Senate, and may remove him at the pleasure of the appointing officer. Successors shall serve for the unexpired term for which the official was elected.

Section 14. Other Vacancies
Section 14. (A) Where no other provision therefor is made by this constitution, by statute, by local government charter, or by ordinance, the governor shall have the power to fill any vacancy occurring in any elective office. If, at the time a vacancy occurs in such office, and the unexpired portion of the term of office is more than one year, the vacancy shall be filled at an election within six months, as may be provided by statute. The appointment provided
for herein shall be effective only until a successor is duly elected and qualified.
(B) Nothing in this Section shall be construed as changing the qualifications for the various offices involved, and all appointments must be of persons who otherwise would be eligible to hold offices to which appointed.
Comment: The 1921 Constitution contains a number of separate provisions and considerable procedural detail requiring the governor to fill vacancies in particular offices. It also contains a general provision allowing the governor to make appointments not otherwise provided for in the constitution.

The proposed section is a general provision which requires the governor to fill vacancies in elective offices if not otherwise provided for in the constitution, by statute, by local government charter, or by ordinance. Elections are to be held within a six-month period following the occurrence of a vacancy where the unexpired term is longer than in any year, the governor is to make appointments only until a successor is elected. Other procedures are to be determined by law. Gubernatorial appointees to vacancies must possess the same qualifications as required by law for persons elected to the position.

Section 15: Definition of Vacancy
Section 15. A vacancy as used in this constitution shall occur in the event of death, resignation, removal by any means, or the failure to take office for any reason.

Source: New

Comment: The proposed section provided a general statement that a vacancy occurs only in the event of death, resignation, removal by any means, or failure to take office.

Section 16: Declaration of Disability
Section 16. Whenever a statewide elective official transmits the resigning officer of the Senate and the speaker of the House of Representatives a written declaration that he is unable to discharge the powers and duties of the office and until he transmits to them a written declaration to the contrary, the person succeeding to the office in the event of a vacancy shall assume the powers and duties of the office as acting official.


Comment: The 1921 Constitution provides that in case of the inability of the governor to act, the powers and duties of his office shall devolve upon the same officers who succeed to governorship in the event of a vacancy. Successors act until the inability of the governor is removed.

The 1921 Constitution also provides that the statewide elective officials who are authorized to appoint assistants may direct the assistants to carry out duties of the office in event of the official’s inability to act.

The proposed section applies to all statewide elective officials. It allows each official to make an official declaration of his inability at the time it commences and at the time it ceases. The constitutionally named successors are for the official during the period of inability.

The proposed section is similar to disability provisions of the federal constitution. (Amendment XXV, § 3)

Section 17: Determination of Inability
Section 17. (a) A majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, they shall transmit to the presiding officer of each house of the legislature and to such official, and shall file in the office of the attorney general, a declaration that such official is unable to exercise the powers and perform the duties of his office. Thereafter the constitutional successor shall assume the office as acting official unless, within forty-eight hours after such filing in the office of the secretary of state, such official files in said office and transmits to said presiding officers his written counter-declaration that he is able to exercise such powers and perform such duties.

(b) The legislature shall convene at noon on the third calendar day after the filing of any counter-declaration, which may be filed by such official at any time. Should two-thirds of the elected members of each house of the legislature fail to adopt a resolution within seventy-two hours declaring that probable justification for the determination that inability exists, such officers shall continue or resume in office.

(C) Should two-thirds of the elected members of each house so adopt a resolution declaring that probable justification for the determination of incapacity exists, the constitutional successor shall succeed to the powers and duties of the office and such resolution shall be transmitted forthwith to the Supreme Court of Louisiana.

(D) By preference and priority over all other matters, the supreme court shall determine the issue of incapacity after due notice and hearing, by a majority vote of members elected to said court under such rules as it may adopt.

(E) A judgment of the supreme court affirming incapacity may be reconsidered by the court, after due notice and hearing, upon its own motion, or upon its reception of such official. Upon proper showing and by majority vote of its elected members, the court may, upon such reconsideration, determine that no incapacity then exists, whereupon such officer shall immediately resume the powers and duties of his office.

Source: New

Comment: The proposed section, similar to disability provisions of the federal constitution (Amendment XXV, § 4) provides a procedure whereby the inability of statewide elected officials is determined.

The procedure is initiated by a written declaration by the elected official acting in concert, and the officer declared disabled has the privilege of responding to their declaration. If there is a difference of opinion about the disability, of the inability to act, the court must resolve by a two-thirds vote that “probable cause” for inability exists, and the issue shall then be finally decided by the state supreme court both initially and on reconsideration.

Section 18: Absences
Section 18. In the event of a temporary absence of the governor from the state, the lieutenant governor shall act as governor. In the event of a temporary absence of a statewide elected official from the state, the appointed first assistant shall act in his absence.


Comment: The 1921 Constitution provides that during absences of the governor, the powers and duties of the office shall devolve upon persons named as successors to the office in case of a vacancy. An 1874 Louisiana case held that “the absence must be such as would affect injuriously the public interest” before powers and duties would devolve on the lieutenant governor. The 1921 Constitution also provides that other named statewide elected officials may appoint successors to those then “shall” act for them during their absences.

The proposed section provides that constitutionally named successors are required to act on behalf of the elected officials, whether or not so requested, when the elected officials are absent.

The 1921 Constitution prohibits the dual office-holding of an elected official.

Section 19. (A) No person holding, under the government of this state or any of its political subdivisions, any office or employment of trust or any office or employment which shall carry with it to any person to whom any unexpired term of office shall at the same time hold any other such office or employment with the United States, any foreign power, or any other state; nor shall any such person hold more than one such office or employment with this state or any of its political subdivisions.

(B) For purposes of this Section, the following shall not be considered to be offices or employment described in Paragraph (A) of this Section: (1) ex officio positions; (2) notaries public; (3) any officer, employee or servant of any instrumentality performing only advisory functions; (4) delegates to, as well as officials and employees of, any constitutional convention; (5) members in the reserve of the armed forces and the national guard; and (6) election commissioners.


Comment: The proposed section prohibits any person holding a state or local office of employment or trust which entitles him to a per diem, salary, or emolument from holding any other such office or employment under the United States, a foreign power, or any other state. A
person is prohibited from holding more than one office of trust or employment with the state or any of its political subdivisions. Specific exceptions are listed.

Section 20. Code of Ethics; Board of Ethics

Section 20. (A) The legislature shall enact a code of ethics for state employees and elected officials.

(B) The legislature shall create a board or boards of ethics which shall investigate all allegations of violations of such a code, and shall have such other powers and duties consistent with the same as may be provided by statute.


Comment: The proposed section mandates the legislature to enact a code of ethics for state employees and elected officials. Sections in the source provision stating a preamble and declaration of policy have been deleted. Also deleted are provisions naming specific boards and provisions for appellate procedures.

Paragraph (B) requires the legislature to create a board or boards of ethics to investigate violations of the ethics code.

Section 21. Impeachment

Section 21. (A) Any state and district official, whether elected or appointed, shall be liable to impeachment for commission or conviction of felonies or malfeasance during his term of office or gross misconduct.

(B) All impeachments shall be by the House of Representatives, and shall be tried by the Senate, whose members shall be upon oath or affirmation for that purpose, and a vote of two-thirds of the senators elected shall be necessary to convict. The purpose of such a trial is to determine whether the House be in session or not, and may adjourn as it thinks proper. Conviction upon impeachment shall result in immediate removal from office and shall prohibit the official from holding any office under the government of this state or any of its political subdivisions. Nothing herein shall be construed to prevent any other action, prosecution, or punishment authorized by statute.


Comment: The proposed section makes a number of changes in the impeachment provisions of the 1921 Constitution.

In Paragraph (A) the grounds for removal have been changed to include commission or conviction of felonies or malfeasance during a term of office, or gross misconduct. Eliminated are “high crimes and misdemeanors” in office of the first day of the 1921 provision as has the provision that a supreme court judge shall preside when the governor is on trial. Conviction results in immediate removal from office and bars future office holding.

Under the 1921 constitutional provision, officers are suspended when impeachment proceedings are begun. This provision has been deleted from the proposed section.

Section 22. Reorganization

Section 22. The governor may propose to the legislature, on or before the first day of any session, a plan of re-organization of the state's executive, legislative, and judicial departments. The legislature may accept the proposed plan or reject it.


Comment: The proposed section gives the governor constitutional authority to reorganize the state's executive, legislative, and judicial departments. The legislature may accept or reject the governor's plan by a majority vote of the elected members, but could substantially not amend it. The governor's plan would have to be submitted on the first day of a legislative session.

Section 23. Mandatory Reorganization

Section 23. The legislature shall allocate the functions, powers, duties, and responsibilities of all departments, offices, agencies, and other instrumentalities of the executive branch except those functions, powers, duties, and responsibilities allocated by this constitution, among and within not more than twenty departments, such allocation to become operative on or before eighteen months after the effective date of this constitution. Such legislative allocation is subject to be vetoed by the governor. If the legislature fails to make such allocation, the governor within six months shall effect such allocation by executive order.

Source: New

Comment: The proposal for scheduling reorganization would require the legislature to initiate a reorganization of the executive branch into more than 20 departments, exclusive of constitutional powers and duties, on or before 18 months after the effective date of this constitution. The governor cannot veto the allocation, but if the legislature fails to act, the governor can reorganize by executive order.

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 5—

ARTICLE IV. EXECUTIVE DEPARTMENT

Section 1. Public Service Commission

Section 1. (A) Composition: Term. There shall be a Public Service Commission which shall consist of five members elected at the time fixed for congressional elections from separate districts as may be established by statute for overlapping terms of six years; the commission annually shall elect a chairman from one of its members.


Comment: The proposed revision changes the composition of the Public Service Commission from three to five members and requires the sixth-year term of office and time of election of the staggered terms to be determined and limited by the legislature. The commission is to elect a chairman from its members.

(B) Powers and Duties. Except as otherwise provided by this constitution, the commission shall regulate all common carriers and other public utilities. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have such other powers and perform such other duties as may be provided by statute.


Comment: The proposed revision shortens the present constitutional provision. It provides for substantive changes except deletion of the prohibition against the commission's jurisdiction over direct sales of natural gas to industry. That prohibition is presently provided in La. R.S. 45:303. The power of the commission to regulate common carriers and public utilities is limited by other applicable constitutional provisions; under present constitutional law, it is not so limited.

The phrase "common carriers and other public utilities" is intended to include all carriers and utilities specifically enumerated in the present constitution.

(C) Limitation. The commission shall have no power to regulate any class of common carrier or public utility owned, operated, or presently regulated by the governing authority of any one or more political subdivisions, except to the extent that such political subdivisions can carry out such regulation without infringing on the powers vested in the commission by the constitution.


Comment: The revised section shortens but provides no substantive changes from the present constitutional provision.

(D) Decisions on Applications, Petitions, and Schedules. The commission shall render its final decision on applications, petitions, and proposed rate schedules within
twelve months from the date such application, petition, or proposed schedule is filed.

(2) If its decision is not rendered within six months from the filing date of any proposed rate schedule, it shall be determined temporarily approved, and, pending final approval, modification, or rejection may be put into effect subject to such protective bond or security requirements as may be provided by statute. If the commission disapproves the proposed schedule, in whole or in part, the utility may file a petition for reexamination of the schedule in effect under the bond or security, subject to any appeal and final action by a court of last resort, to cover any refund that may be finally directed. Refund claims thereafter in the manner provided by statute shall be filed within one year after such final action.

(3) Any utility filing a proposed rate schedule shall, within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would become applicable. Any person affected by the proposed rate schedule may intervene and may, should the commission not render its decision within twelve months, appeal as if such decision had been rendered.


Comment: The 1921 Constitution provides that orders of the Public Service Commission establishing common carrier rates or public utility rates shall go into effect when fixed by the commission and remain until set aside by the courts. Currently, issuance of temporary restraining orders are given. Orders of the commission are enforced subject to constitutional penalties.

The proposal provides that rate schedules become temporarily approved, subject to statutory bond or security requirements, if the commission does not act within six months from the time the schedule is filed. If the commission fails to act within 12 months, persons affected by the schedules may intervene and file suit as if the decision had been rendered. If the commission disapproves the rate schedule, the rates may be placed in effect under bond or security pending judicial review. Refund suits may be filed only within one year after court action. There are no penalty provisions in the proposed revision.

(E) Appeals. Appeals from the orders of the Public Service Commission must be filed with the district court, at the domicile of the Public Service Commission, with a direct appeal to the supreme court, as a matter of right.


Comment: The 1921 Constitution provides that appeals from orders of the Public Service Commission shall be filed with the Nineteenth Judicial District Court and thereafter directly with the Louisiana Supreme Court. Provisions in the present source relating to trial procedures, delays, and bond requirements when such appeals have been filed from the respective courts. Otherwise, no substantive changes have been made from the present constitutional provision.

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 6—

ARTICLE V. JUDICIARY DEPARTMENT

Section 1. Judicial Power. The judicial power shall be vested in a supreme court, courts of appeal, district courts, and such other courts as this constitution may authorize.


Section 2. A judge may issue a writ of habeas corpus and all other needful writs, orders and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or court of appeal is subject to review by the court. The superior court of a judge to punish for contempt shall be limited by law.

Section 3. Supreme Court; Membership; Terms

Section 3. The supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment. The term of a judge of the supreme court shall be fourteen years.

Section 4. Supreme Court; Districts

Section 4. The state shall be divided into at least six supreme court districts, with at least one judge elected from each. The present districts and the number of judges assigned to each are subject to change by a two-thirds vote of the elected members of each house of the legislature.

Section 5. Section 5. Court, Supervisory, Original, and Appellate Jurisdiction; Rule-Making Power; Assignment of Judges.

Section 5. (A) The supreme court has general supervisory jurisdiction over all courts. It may promulgate procedural and administrative rules not in conflict with law. It may assign a sitting or retired judge to another court.

(B) The supreme court has exclusive original jurisdiction of disciplinary proceedings involving members of the bar.

Section 6. Section 6. Court, Supervisory, Original, and Appellate Jurisdiction; Rule-Making Power; Assignment of Judges.

Section 6. (A) Appellate jurisdiction extends to questions of law only.

(B) The following cases shall be appealable to the supreme court:

1. A case in which a state law has been declared unconstitutional.

2. A criminal case in which the penalty of death or imprisonment at hard labor may be imposed, or in which a fine exceeding five hundred dollars or imprisonment exceeding six months has been actually imposed.

(E) Subject to the provisions of Subsection (C), the supreme court has appellate jurisdiction over all other issues involved in any civil action pending in any court of the State. It has original jurisdiction in all cases involving the administration of constitution.

Section 7. Supreme Court; The Chief Justice

Section 7. (A) When a vacancy in the office of chief justice occurs, the judge last in point of service on the court, below the age of sixty-five years, shall succeed to the office. In the event that the chief justice shall be a chief administrative officer of the judicial system of the State, subject to rules adopted by the court.

Section 7. Supreme Court; Judicial Administrator, Clerk, and Staff

Section 7. The supreme court shall have authority to select a judicial administrator, its clerks, and other personnel, and prescribe their duties.

Section 8. Courts of Appeal; Panels; Number Necessary

Section 8. The state shall be divided into at least four circuits, with one court of appeal in each circuit. Each court shall sit in panels of at least three judges selected according to rules adopted by the court. A majority of the judges sitting in a case must concur to render judgment. The term of a court of appeal judge shall be twelve years.

Section 9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts, with at least one judge elected from each. One or more judges may be elected in the district. The present circuits and districts and the number of judges as elected in each circuit are retained, subject to change by a two-thirds vote of the elected members in each house of the legislature.

Section 10. Courts of Appeal; Appellate and Supervisory Jurisdiction

Section 10. (A) Except in those cases appealable to the supreme court and as otherwise provided in this constitution, a court of appeal has appellate jurisdiction of all civil cases decided within its circuit. It has appellate jurisdiction of appeals from the decisions of the lower courts, except juvenile and civil cases decided within its circuit. It has appellate jurisdiction of all cases appealed from the family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over all cases in which an appeal would lie to that court.

(B) Except where limited to questions of law by this constitution or, as provided by law in the case of review of administrative agency determination, its appellate jurisdiction extends to both the law and the facts.

Section 11. Courts of Appeal; Certifications to Supreme Court of Questions of Law; Determination

Section 11. A court of appeal may certify to the supreme court any question of law before it, whereupon the supreme court may give its binding instruction, or consider and decide the case upon the whole record.

Section 12. Courts of Appeal; Chief Judge; Duties

Section 12. When a vacancy in the office of chief judge of a court of appeal occurs, the judge last in point of seniority shall succeed to the office and shall administer the court, subject to rules adopted by the court.

Section 13. Courts of Appeal; Clerks and Staff
Section 13. Each court of appeal shall have authority to select its clerk and other personnel and prescribe their duties.

Section 14. District Courts; Judicial Districts

Section 14. The state shall be divided into judicial districts, each composed of one or more parishes and served by one or more district judges.

Section 15. District Courts; Judicial Districts; Changes; Terms

Section 15. (A) The district courts, the civil and criminal district courts, and the judicial districts existing at the time of the adoption of this constitution are retained. The legislature, by a majority vote of the elected members of each house, with approval in a referendum in each district or parish affected, may establish or merge judicial districts or new criminal and civil district courts, in a parish, subject to the limitations of Section 23 of this Article.

(B) The term of a district judge shall be six years. Terms established for judgeships existing at the time of the adoption of this constitution are retained; however, the legislature, by a majority vote of the elected members of each house, with approval in a referendum in each district or parish affected, may reduce or increase the term for district judges in a parish to not less than six years.

Section 16. District Courts; Original Jurisdiction

Section 16. (A) Unless otherwise provided or authorized in this constitution, a district court shall have original jurisdiction in all civil and criminal matters. It shall have exclusive original jurisdiction of all felony cases involving the title to immovable property; the right to office or other public position; or political rights; probate and succession matters; the state; a political corporation, or a succession, as a party defendant, regardless of the amount in dispute; and the appointment of receivers or liquidators to corporations or partnerships.

(B) A civil district court shall have civil jurisdiction as provided for in Subsection (A) and a criminal district court shall have criminal jurisdiction as provided for in Subsection (A).

Section 17. District Courts; Chief Judge

Section 17. Each district court may elect from its members a chief judge who shall exercise such administrative functions as prescribed by rule of court.

Section 18. Juvenile Courts; Jurisdiction

Section 18. The jurisdiction of a juvenile court shall be as provided by law.

Section 19. Courts of Special and Limited Jurisdiction

Section 19. Parish, city, municipal, traffic, family, and juvenile courts existing at the time of the adoption of this constitution are retained. The legislature, by a majority vote of the elected members of each house, and with approval in a referendum in each district, parish, or portion affected may establish, abolish, or merge trial courts of limited or specialized jurisdiction subject to the limitations in Sections 16 and 23 of this Article.

Section 20. Parish Courts

Section 20. (A) Notwithstanding the provisions of Sections 15 and 19 to the contrary, the legislature may, by a majority vote of the elected members of each house, and with approval in a referendum in the parish affected, establish that parish a parish court. Other courts of limited or specialized jurisdiction in the parish may be simultaneously abolished.

(B) The jurisdiction of parish courts shall be uniform throughout the state and such courts shall be limited to the trial of misdemeanors, and of civil matters not exceeding the value or sum of three thousand five hundred dollars, exclusive of interest and costs. A judge of said court shall be elected for four-year terms.

Section 21. Mayors' Courts; Justices of the Peace; Continued

Section 21. A mayor's court or justice of the peace existing at the time of the adoption of this constitution is continued subject to change by the legislature.

Section 22. Recording of Proceedings; All Courts

Section 22. All proceedings in all courts in this state shall be recorded when requested.

Section 23. Judges; Term of Office or Compensation May Not Be Decreased

Section 23. The term of office or compensation of a judge shall not be decreased during the term for which he is elected.

Section 24. Judges; Election; Vacancy in Office

Section 24. (A) The election of judges shall be held at the regular congressional election.

(B) A newly-created judgeship or a vacancy in the office of any judge shall be filled by a special election which shall be called by the governor, and held within six months of the date of the vacancy occurring on the judgeship is created, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person meeting the qualifications for judge to the office, to serve at its pleasure, who shall be ineligible to run in the succeeding general election.

(C) All judges serving on the date of adoption of this constitution shall continue in office for the term to which elected and shall serve through December thirty-first of the last year of their term or, if the last year of their term expires during the even-year period of the judicial election, then through December thirty-first of the year next succeeding. The election for next term in the office will be held in a general judicial election of the year the term expires, as provided above.

Section 25. Retirement of Judges

Section 25. (A) A judge shall not remain in office beyond his seventieth birthday, except as otherwise provided herein.

(B) A judge or judicial administrator in office at the time of the adoption of this constitution shall not have diminished any retirement benefits or judicial service rights, including the right to remain in office, as judge, during his present term, provided under the previous constitution or laws, nor shall the benefits to which his survival otherwise theretofore entitled him be changed.

(C) The legislature shall provide a retirement system for judges which shall apply to a judge taking office after the effective date of the statute enacting the system, and which a judge in office at the time of its adoption may elect to join.

(D) Until the legislature enacts the retirement system authorized in Subsection (C), a judge taking office after the adoption of this constitution and a judge in office who re-elects within ninety days of the adoption of this constitution by notifying the secretary of state, shall be entitled to the following retirement benefits:

(I) This subsection applies to a judge of a court authorized by this constitution, except mayors and justices of the peace.

(A) A judge with six years of judicial service may retire; a judge with twelve years of judicial service is eligible for retirement benefits at the age of sixty. On retirement, a judge shall receive annually as retirement benefits that portion of his annual average compensation for his highest years which the number of years served bears to twenty-five, but not more than seventy-five per cent.

(B) A judge who is physically or mentally incapacitated to perform his duties, as determined by the supreme court upon the advice of two physicians appointed by the judicial council, shall be retired. He shall receive as annual retirement benefits two-thirds of his annual salary, or that portion of his average annual salary for the three highest years which the number of years served bears to twenty-five, whichever is greater.

(C) Upon the death of a judge, in office or retired, the surviving spouse, until remarriage, shall be entitled to one-third of his annual salary as judge prior to death or retirement, or one-half the retirement compensation, whichever is greater. If the judge is not survived by a spouse, or if the spouse dies, his unmarried children shall be entitled to the benefits provided in this subsection until the age of twenty-one.

(D) Benefits provided herein shall be paid from the same sources as was his compensation as judge. The legislature and the political subdivisions shall provide for the payment of these benefits.

(E) To receive the benefits provided in this subsection the judge shall contribute a total of six percent of his salary to the paying authorities.

Section 26. Judges; Qualifications; Practice of Law Prohibited

Section 26. A judge of the supreme court, court of appeal, district court, or parish court shall have been admitted to the practice of law for at least five years prior to his election, shall have been domiciled in the respective circuit,
Section 27. (A) The Judiciary Commission shall consist of one court of appeal judge and two district court judges. The selection of the supreme court judges for three attorneys admitted to the practice of law for at least ten years who are judges, active or retired, nor public officials, selected by the Louisiana Conference of Court of Appeal Judges' Association or its successor; and three citizens, not lawyers, judges, nor public officials, appointed by the Louisiana District Judges' Association or its successor.

(B) A member of the commission shall serve a four-year term and shall not be eligible to succeed himself.

(C) A member of the commission shall terminate when he loses the status causing his appointment or when any event occurs which would have made him ineligible for appointment.

(D) When a vacancy occurs, a successor shall be appointed for a four-year term by the appointing authority for the district which the vacancy occurred.

(E) On recommendation of the Judiciary Commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent performance of his official duties, and public misconduct prejudicial to the administration of justice that brings the judicial office into disrepute, or conduct in office which would constitute a felony, or conviction of a felony. On recommendation of the Judiciary Commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during the pendency of proceedings in the supreme court. On recommendation of the Judiciary Commission, the supreme court may retire involuntarily a judge for inability that seriously interferes with the performance of his duties and that is, or is likely to become, of a permanent character. The supreme court shall make rules implementing this section and providing for confidentiality and privilege of proceedings.

Section 28. There shall be a department of justice consisting of an attorney general, a first and second attorney general, and other necessary assistants and staff. The attorney general shall perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, or conduct in office which would constitute a felony, or conviction of a felony. On recommendation of the Judiciary Commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during the pendency of proceedings in the supreme court. On recommendation of the Judiciary Commission, the supreme court may retire involuntarily a judge for inability that seriously interferes with the performance of his duties and that is, or is likely to become, of a permanent character. The supreme court shall make rules implementing this section and providing for confidentiality and privilege of proceedings.

Section 29. Attorney General; Qualifications; Powers and Duties; Vacancy

Section 30. Attorney General; Qualifications; Powers and Duties; Vacancy

Section 31. Defense of Criminal Prosecution; Removal

Section 32. Sheriffs; Duties; Tax Collector

Section 33. Clerks; Election; Powers and Duties; Departments; Office Hours

Section 34. In each parish, a sheriff shall be elected for a term of four years. He shall be the chief law enforcement officer in the parish, except as other law enforcement officers may be authorized by this constitution, and shall execute court orders and process. He shall be the collector of state and parish ad valorem taxes and such other taxes and licenses as provided by law.

Section 35. Coroner; Election; Term; Qualifications; Duties

Section 36. Reduction of Salaries and Benefits Prohibited

Section 37. Orleans Parish, Officials; Continued

Section 38. Jurors; Qualifications; Selection

Section 39. Grand Jury

Section 40. Conviction

Section 41. Prosecution

Section 42. Evidence

Section 43. Witnesses

Section 44. Procedure

Section 45. Appeal
Section 2. Public Educational System

Section 2. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system consisting of all public schools and institutions of learning supported in whole or in part by state funds, the funds of any political subdivision thereof, or both.


Comment: Establishes that there shall be an elected state superintendent of public education for elementary and secondary schools.

The superintendent shall be the ex officio secretary of the Board of Elementary and Secondary Education. The superintendent shall have the term of office of four years. Deletes the salary of the superintendent and authorizes the legislature to prescribe the salary, powers, duties, and responsibilities of the superintendent.

Requires that the superintendent possess the same qualifications as of the state superintendent and additional qualifications as may be fixed by law.

Sections 3. State Board of Elementary and Secondary Education

Section 3. (A) Creation; function. There is created a body corporate, known as the State Board of Elementary and Secondary Education, the board shall supervise, control, and have budgetary responsibility for all funds appropriated or allocated by the state for all public elementary and secondary schools. The board shall have such other specific powers, duties, and responsibilities as are provided by law, but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of their employees.

(B) Membership; terms. The board shall consist of seven members who shall be appointed by the governor, with the consent of the Senate, from the state at large, and an additional number of members equal to the number of congressional districts into which the state is divided, and, where such districts are not in the state, shall be elected from each of such districts, as provided by law. All members shall serve overlapping terms of six years, following the initial terms which shall be determined by the governor or the legislature, as the case may be, in a manner to effectuate this purpose.

(C) Vacancies. Vacancies occurring for any cause prior to the expiration of the term shall be filled by appointment by the governor for the remainder of the unexpired term. Members shall serve without pay except for per diem and expenses as shall be fixed by the legislature.


Comment: Removes the authority of the board to supervise institutions of higher education. Changes the composition of the board. Requires the governor to appoint seven members of the board. Requires an election for an additional number of members equal to the number of congressional districts into which the state is divided. All members shall serve overlapping terms of six years, following the initial terms which shall be determined by the governor or legislature. The present provision requires that the membership of the board be composed of 11 members: three elected from the Public Service Commission for terms of six years, and eight members elected from districts corresponding to the congressional districts, for terms of eight years.

Continues the existing authorization to the legislature to prescribe the duties and specific powers of the board. The board may not control the business affairs of parish schools boards or the selection or removal of officers and employees.

Public authorization of the board to supervise, control, and assume budgetary responsibility for all funds appropriated by the state for all schools under its jurisdiction.

Section 4. State Superintendent of Public Elementary and Secondary Education

Section 4. (A) Term. There shall be a state superintendent of public elementary and secondary education, who shall be elected for a term of four years. He shall be the ex officio secretary of the board and shall serve as its chief executive officer.

(B) Qualifications. The state superintendent shall possess the qualifications required of parish school superintendents and such additional qualifications as may be fixed by law.

(C) Functions. The powers, duties, responsibilities, and salary of the state superintendent of public education shall be prescribed by law.

(D) Vacancy. A vacancy in the office of state superintendent of public education for any cause except expiration of the term shall be filled by the governor for the remainder of the unexpired term.


Comment: Establishes that there shall be an elected state superintendent of public education for elementary and secondary schools.

The superintendent shall be the ex officio secretary of the Board of Elementary and Secondary Education. The superintendent shall prescribe the term of office of four years. Deletes the salary of the superintendent and authorizes the legislature to prescribe the salary, powers, duties, and responsibilities of the superintendent.

Requires that the superintendent possess the same qualifications as required of parish superintendents and additional qualifications as may be fixed by law.

Provides that a vacancy in the office for any cause except expiration of the term shall be filled by the governor for the remainder of the unexpired term.

Section 5. Qualifications and Certification of Teachers

Section 5. The board shall prescribe and provide for the qualifications to be met by teachers and for the certification of teachers of public elementary and secondary and special schools.


Comment: Establishes the qualifications and certification of teachers for public elementary and secondary schools.

The board shall issue or prescribe and provide for the qualifications to be met by teachers and for the certification of teachers of public elementary and secondary and special schools.

Section 6. Approval of Private Schools; Effect

Section 6. The board may approve private schools whose sustained curriculum is of a quality equal to that prescribed for public schools. The certificates issued by private schools so approved shall carry the same privileges as those issued by the state public schools.


Comment: Establishes the approval of private schools by the state board. The certificates issued by private schools approved by the board shall carry the same privileges as those issued by state public schools.

Section 7. Board of Regents

Section 7. (A) Board of Regents; establishment. There is created a body corporate known as the Board of Regents. The board shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have such other powers, duties, and responsibilities as are provided in this Section and by law.

(B) Board membership; terms. The members of the board shall be appointed by the governor with the consent of the Senate, for terms of six years, following the initial terms which shall be fixed by law. Two of the members shall be residents of each of the congressional districts into which the state is divided, and one member shall be from the estate at large.

(C) Qualifications. Members per diem and expenses. The members of the Board of Regents, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, Board of Trustees for State Colleges and Universities, and any other board created pursuant to this Article shall receive per diem and expenses as shall be prescribed by the legislature. The members of the Board of Regents shall have the following powers, duties, and responsibilities with respect to all public institutions of higher education and post-secondary educational and training programs:

(a) To revise or eliminate any existing degree program, department of instruction, division, or similar subdivision.

(b) To approve, disapprove, or modify any proposed degree program, department of instruction, division, or similar subdivision.

(c) To study the need for and feasibility of any new institution of post-secondary education, including branches of
institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution is proposed, or an additional management board for an existing institution or group of institutions is proposed, or a proposal is made to transfer an existing institution from one board to another, the board shall report its findings and recommendations within one year to the legislature. Only after this written report has been filed, or if no report is filed within one year, the legislature may take affirmative action on such a proposal by vote of two-thirds of the members present.

(d) To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical and career education. As a minimum, the plan shall include a formula for the equitable distribution of funds to the institutions of higher education in the state.

(e) To require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other board hereafter created pursuant to this Section to submit to it, at times specified by it, their annual budget proposals for the operational and capital needs of each institution under the control of each. The Board of Regents shall submit its recommendations on budgets for all communities of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements.

(f) Powers not vested. Powers of management over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested in the Board of Regents by this Section are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and to the Board of Trustees for State Colleges and Universities as to the institutions under the control of each or to any board created pursuant to this Section.

Source: La. Const. Art. XII, §§2, 6, 7, 9 (1921).

Comment: Restructures and seeks to strengthen the governance of higher education. Deletes the Louisiana Coordinating Council for Higher Education provided for in Article XII, Section 7C. Creates the Board of Regents and provides that the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Trustees for State Colleges and Universities be subordinate to it. Requires the governor to appoint, with senate consent, the members of the board consisting of two from each congressional district and one from the state at large. All members shall serve overlapping terms of six years, following the initial terms as shall be fixed by law. Prescribes the manner of filling vacancies by the governor. Retains the provision that the legislature may fix the per diem expenses to be paid to members of boards forementioned.

Authorizes the board to plan, coordinate, and assume budgetary responsibility for all public higher education and post-secondary vocational-technical training and career education, and to have such other powers, duties, and responsibilities as provided by law.

Revises Sections 2 and 6 and provides that the board shall have coordinating responsibility as it relates to the elementary and secondary educational curricula.

All management powers not specifically vested in the Board of Regents are reserved to the boards described in this Section.

Section 8. Board of Trustees for State Colleges and Universities

Section 8. (A) Creation; powers. There is created a body corporate known as the Board of Trustees for State Colleges and Universities, which, subject to the powers vested in the Board of Regents by this Article, shall have:

1. Supervision and management of all state colleges and universities except those included under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and any other board hereafter created pursuant to this Article.

2. Unless and until the legislature shall provide otherwise, supervision and management of all public institutions of vocational-technical training and career education at post-secondary levels.

(B) Board Membership; terms. The members of the board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Two of the members of the board shall be residents of each of the districts into which the state is divided, and one member shall be from the state at large.

(C) Vacancies. A vacancy occurring prior to the expiration of the term of the board shall be filled for the remainder of the unexpired term by appointment by the governor, with the consent of the Senate.


Comment: Revises Section 1A of Article XII. Changes the term of office of members of the board from 14 years to six years and provides that all members shall serve overlapping terms of that duration following the initial terms which shall be fixed by law. Deletes the provision that the governor shall be an ex officio member of the board.

Provides that the board shall, subject to power vested in the Board of Regents, supervise and manage the Louisiana State University system.

Requires the governor to appoint, with senate consent, the members of the board consisting of two from each congressional district and one from the state at large.

Provides that the governor fill vacancies.
Section 10. Minority Representation

Section 10. An appropriate number of citizens from the predominant minority race of the state shall be included on the State Board of Elementary and Secondary Education, the Board of Regents, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other board created pursuant to this Article.

Source: New.

Comment: Replaces appropriate representation from the predominant minority race of the state on all boards afore-mentioned and any board created pursuant to this Article.

Source: New.

Section 11. Boards; Dual Membership Prohibited

Section 11. No person shall be eligible to simultaneously serve on more than one board created by or pursuant to this Article.

Source: New.

Comment: The proposed provision prohibits dual membership on boards responsible for public education.

Section 12. Parish School Boards; Parish Superintendents

Section 12. (A) Parish School Boards. The legislature shall create parish school boards and shall provide for the election of the members of such boards.

(B) Parish Superintendents. Each parish board shall elect a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualification and term of the duties of the parish superintendent, who need not be a resident of the parish in which he serves.


Comment: Revises the present provision. Deletes the last sentence which provides that where parishes contain a municipality with a population in excess of one-half of the population of the entire parish, it shall have representation proportionate to its population on the parish board.

Section 13. Recognition of Existing Boards and Systems; Consolidation

Section 13. (A) Recognition of Boards and Systems. Parish and city school board systems, in existence on the effective date of this constitution, by virtue of special or local legislative acts or previous constitutional provisions, are hereby recognized, subject to control by and supervision of the State Board of Elementary and Secondary Education and the power of the legislature to enact laws affecting them.

(B) Continuance of Existing Boards. School systems may be consolidated under procedures enacted by the legislature, subject to approval of a majority of the qualified electors voting in each system affected in an election called for that purpose.


Comment: Repeals the present provision without substantive change. Provides for the consolidation of two or more school systems subject to procedures prescribed by the legislature and approval of a majority of the electors voting in an election for that purpose.

Section 14. Appropriations; Boards

Section 14. The legislature shall appropriate funds for the operating and administrative expenses of the boards created pursuant to this Article.


Comment: Revises the present provision by requiring the legislature to provide funds for the operation and administration of the board.

The present provision prohibits the State Board of Education to create or maintain administrative departments in which salaries or expenses are payable from state funds, unless authorized by the legislature.

The present provision shall prescribe the terms under which funds offered for educational purposes shall be received and disbursed.

Section 15. Appropriations; Higher Education

Section 15. Appropriations for the institutions of higher education and Board of Secondary Vocational-Technical training and career education shall be made to their respective managing boards. The appropriations shall be administered by the managing boards and used solely for the operations of the institution for which designated in the appropriations.

shall levy an annual tax of five mills on the dollar on the assessed valuation of all property within the municipality. The proceeds thereof shall be used exclusively for the support of the public schools.

Third: The Orleans Parish School Board shall levy annually a tax of not more than fifteen mills on the dollar on the assessed valuation of all property within the city of New Orleans assessed for city taxation and shall certify the facts to the governing authority of the city. The governing authority shall cause said tax to be entered on the tax rolls of the collector of the city in the manner prescribed by law and with the conditions and with the interest and penalties prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

Fourth: For giving additional support to the public elementary and secondary schools, any parish, school district, or subdistrict, or any municipality which supports a separate city system of public schools may levy ad valorem taxes for specific purposes, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict, in an election called for the purpose. The amount, duration, and purpose of such taxes shall be in accord with any limitations imposed by the legislature. No such tax shall be levied for a period longer than ten years, except that funds levied for the collection of bonds or other debts incurred shall be levied and collected until the principal and interest on the bonds or other debts have been paid.

Fifth: The legislature may provide for additional sources of local support for elementary and secondary schools. (D) Monroe, Bogalusa; Treatment as Parishes. For the effects and purposes of the provisions of this entire Section, the municipalities of Monroe, in Ouachita Parish, and Bogalusa in Washington Parish, and no other, shall be regarded as, and treated upon the same basis and shall have the same authority as though they were separate parishes instead of municipalities.

(E) Ouachita Parish. The school board of Ouachita Parish shall have authority to pay the costs of bonds or other debts incurred by the public funds any per capita for children residing without the limits of said city and who may attend the schools maintained by the city of Monroe under its legislative charter.


COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL NO. 8—ARTICLE VI, LOCAL GOVERNMENT

Section 1. Parishes; Ratification of Boundaries, Creation, Consolidation, and Dissolution

Section 1. (A) All parishes and their boundaries as established under existing law are recognized and ratified. (B) The legislature shall provide by general law for the creation, consolidation, or dissolution of parishes under the limitations hereinafter provided. No new parish shall contain less than six hundred and twenty-five square miles, or less than fifty thousand inhabitants, and no parish shall be reduced below that area or number of inhabitants.


Comment: Paragraph (A) ratifies existing parish boundaries.

Paragraph (B) provides the regulations and requirements for the creation of new parishes from 7,000 to 50,000 inhabitants.

Section 2. Change of Parish Lines; Election

Section 2. Before taking effect any law changing parish lines, consolidating parishes, dissolving parishes, or creating regional districts shall be submitted to the electors of the parishes to be affected at a special election held for that purpose. The change shall take effect only if two-thirds of the total vote cast on the question in each affected parish is in favor thereof.


Comment: The proposed section provides for consolidation, dissolution, changing parish lines, and creation of new parishes only after approval by a two-thirds vote of the electors voting in each of the parishes to be affected. The source provides that parishes may be dissolved and merged by a two-thirds vote of the voters voting on the question in the parish to be dissolved and approved by a majority vote of the voters voting on the question in the parish or parishes into which the dissolved parish is to become incorporated.

Section 3. New or Enlarged Parishes; Adjustment of Assets and Liabilities

Section 3. When a parish is enlarged or created from consolidated territory, it shall be entitled to a just proportion of the property and assets and shall be liable for a just proportion of the existing debts and liabilities of the parish or parishes from which the territory is taken.


Comment: The proposed section is a restatement of the present provision and makes no change in the law.

Section 4. Change of Location of Parish Seat

Section 4. Upon the written petition of not less than twenty-five percent of the electors, as certified to by the registrar of voters, the governing authority of a parish shall call an election on the question of changing the location of the parish seat. The location of a parish seat shall not be changed unless two-thirds of the total vote cast on the question is in favor thereof.


Comment: The proposed section retains the requirement of a two-thirds approval by the voters voting at a special election to effect a change in the location of the parish seat and adds the method by which said election shall be called.

Section 5. Municipalities; Incorporation, Consolidation, Merger, and Government

Section 5. Paragraph (B) shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No special law shall be enacted to create a municipal corporation or to amend, modify, or repeal its charter; however, if a municipality is operating under an existing legislative charter and the legislature may be amended, modified, or repealed by special law as long as such municipality continues to operate under such charter.


Comment: The proposed section authorizes the legislature to
provide for incorporation, consolidation, merger and govern-
ment of municipalities only by general law. The source provision prohibiting the enactment of special laws to af-
fet the charter or charters of a municipality is retained without substantive change.

Section 6. Except as provided in this constitution, the
Section 6. Except as provided in this constitution, the
legislature may classify parishes or municipalities accord-
ing to population or on any other reasonable basis related
to the purpose of this classification, and legislation may
be limited in its effect to any of such class or classes;
provided, however, no statute which is applicable to fewer
than six parishes or municipalities shall become operative
in any such parish or municipality until approved by ordi-


Comment: (a) Under the source provision, legislation applicable to fewer than the five largest cities of the state
would not become operative in the city of New Orleans
until approved by a majority of the electors of that city
voting on the question.

(b) The revision deals with laws which classify either
pursuant to the provisions of this Section, including Sections
8 and 10 of this Article, unless the exercise of such
powers and functions is prohibited by its charter.

(b) Every other home rule charter adopted or author-
ed by this constitution is adopted shall remain in ef-
fact and may be amended, modified, or repealed as pro-
vided in the charter.

Source: La. Const. Art. XIV, §§3(a), 3(c), 3(Second d), 22, 37 (1921).

Comment: (a) The source provisions provide in detail for
the establishment and operation of the plan of govern-
ment for the parishes of East Baton Rouge and Jefferson,
and the cities of Baton Rouge, New Orleans, and Shreve-
port. Since the source provisions provide for purely local
matters, it is not necessary to include the detailed pro-
visions in the text of the constitution.

(b) Under Const. Art. XIV, §3(Second d), detailed pro-
cedures are set out for the adoption of a charter com-
mmission form of parish government. Such a plan of gov-
ernment is not subject to any provisions of this Section,
and is specifically ratified in this Section.

(c) The proposed section authorizes existing home
rule charter local governments to exercise the powers and
functions granted in proposed Sections 8 and 10 of this
Article. It does not deal with the sources of powers and
functions of local governmental subdivisions and home rule
charters, nor with the provisions of this Section, including
Sections 8 and 10 of this Article, unless the exercise of such
powers and functions is prohibited by its charter.

(d) Paragraph (B) gives effect to any home rule charter
adopted or authorized but not effective on the effective
date of the new constitution.

Section 8. Home Rule Charter

Section 8. Home Rule Charter

Section 8. Any local governmental subdivision may
Draft, adopt, or amend a charter of government to be known
as a home rule charter in accordance with the provisions
of this Section. The governing authority of any such local
governmental subdivision shall appoint a commission to pre-
pare and propose a charter, or may call an election for the purpose of electing such a commission.

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The governing authority of any such local governmental subdivision shall call an election to elect a com-
mission to prepare and propose a charter or alternate charter
when presented with a petition signed by not less than fifteen
percent of the electors who live within the boundaries of
the affected subdivision, as certified by the registrar of votes
for such subdivisions.

(c) A home rule charter shall be adopted when approved
by a majority of the electors who vote on the charter prop-
sal at an election called for that purpose.

Section 9. Two or more local governmental subdivisions situated
within the boundaries of a parish may adopt the pro-
visions of this Section, provided that a majority of the
electors in each affected local governmental subdivi-
sion who vote in an election held for that purpose vote
in favor of it. The legislature shall provide for the method
of appointment or election of a commission to prepare and
propose such a charter consistent with Paragraph (A) of this
Section; provided, however, that at least one member of
the commission shall be elected or appointed from each affected
local governmental subdivision.

Thus, it is not necessary to include the detailed
provisions of this Section, including

Section 10 of this Article, unless the exercise of such
powers and functions is prohibited by its charter.

Source: New. The proposed section authorizes the incorporation

When two-thirds of the electors as certified by the
registrar of voters of an unincorporated settlement in
any parish operating under a home rule charter or a home
rule plan of government sign and present to the governor a
petition and meet other necessary requirements as set
forth in the general law providing for the incorpora-
tion of cities, towns, and villages, such cities, towns, and
villages may be incorporated; provided, however, no such newly
incorporated area shall include any property previously
included in any industrial area or district.
of settlements in parishes operating under a home rule charter or home rule plan of government. The Revised Statutes set forth the requirements that must be met before incorporation is possible (R.S. 33:32-33, 51-52).

Section 10. Powers of Other Local Governmental Subdivisions

Section 10. (A) Any local governmental subdivision may exercise and perform any power and function necessary, requisite, or proper for the management of its affairs not denied to it by its charter, by this constitution, or by general law, including but not limited to the power (1) to legislate, control, conduct, and control all matters of local governmental administration; (2) to define the powers, duties, and qualifications of parochial or municipal employees; (3) to provide for the protection of the public health, safety, morals, and welfare; (4) to create special districts; (5) to license; (6) to tax under the limitations provided in this constitution or the general laws of this state; (7) to incur debt and issue bonds, except as otherwise provided in this constitution.

(B) Any local governmental subdivision may exercise concurrently with the state any power or function pertaining to its government and affairs to the extent that the legislature by general law does not specifically limit the concurrent exercise of any such power or functions or specifically declare that exercise of such power or function to be exclusive except as provided in this Article.

(C) Powers and functions of local governmental subdivisions shall be construed liberally in favor of such local governmental subdivisions.

Source: New

Comment: (a) The provisions in the proposed section grant broad powers of local self-government to local governmental subdivisions which do not operate under a home rule charter. The grant of powers is accomplished in two ways. First, local governmental subdivisions are given general authority to exercise any power and perform any function relating to their government and affairs not denied to it by its charter, this constitution, or general law. Second, four important powers—to regulate, to license, to tax, and to incur indebtedness—are enumerated in the powers given to local governmental subdivisions.

(b) Paragraph (B) allows local governmental subdivisions to exercise concurrent power with the state unless such exercise is prohibited or limited by the legislature.

(c) For a similar provision see the Illinois Constitution, Art. VII, §6(a), 6(u), 6(m) (1970).

Section 11. Limitations of Local Governmental Subdivisions

Section 11. Local governmental subdivisions do not have the power (1) to incur debt payable from ad valorem tax receipts maturing more than forty years from the time it is incurred; (2) to define and provide for the punishment of a felony; or (3) to enact private or civil ordinances governing civil relationships.

Source: New

Comment: (a) Enumerates three restrictions on the broad grant of powers to local governmental subdivisions in Section 10 of this Article.

(b) For a similar provision, see the Illinois Constitution, Art. VII, §6(d) and Model State Constitutions, Sixth Edition (Revised), Art. VIII, §18.02 (1969).

Section 12. Local Officials

Section 12. The officers of each local governmental subdivision shall have the exclusive right to elect the members of their governing authority and, if a plan, or form of government other than a home rule charter so provides, their chief executive officer at elections held in accordance with the election laws of the state. Such officials shall not be subject to removal by the legislature. The salaries of these officials shall not be reduced during the terms for which they are elected.


Comment: The proposed section retains the source provision but broadens it to include parish officials.

Section 13. Filling of Vacancies; Appointment

Section 13. Vacancies created by death, resignation, or otherwise, in the office of police juror, city council, parish or municipal governing authority, or special district thereof, mayor, and any other local official elected within the boundaries of the local governmental subdivision, shall be filled by appointment by the governing authority of the local governmental subdivision, unless otherwise provided by law.

Source: New

Comment: (a) The proposed section allows the legislature to fill vacancies.
to enact laws relative to salaries of local public officials or wages, hours, working conditions, pension and retirement benefits, vacation or sick leave benefits of political subdivision employees or commissions of or for political subdivision officials. However, any law requiring an increase in expenditures or deductions from the funds of a political subdivision will not be effective unless the legislature appropriates the funds to the political subdivision to effect the increase or the governing authority of the political subdivision approves the increase.

(b) The proposed section allows the legislature to enact laws relative to civil service, minimum wages, working conditions, and retirement benefits for firemen and policemen to be effective without the appropriation of funds or approval by the governing authority of the affected political subdivision.

Section 15. Appropriation to Political Subdivisions

Section 15. When the legislature appropriates funds to one or more political subdivisions and the legislature does not specify the purposes for which such funds shall be expended, or the amounts to be expended therefor, the expenditure of such funds shall be determined solely by the governing authority of the political subdivision or political subdivisions to which the funds are appropriated. The legislature shall be required to report concerning the allocation and expenditure of such funds.

Source: New

Comment: The proposed section grants to political subdivisions control over specific expenditure of funds appropriated by the legislature when the legislature fails to specify the purposes for which such funds shall be expended, or the amounts to be expended therefor, the expenditure of such funds shall be determined solely by the governing authority of the political subdivision or political subdivisions to which the funds are appropriated.


Comment: The proposed section restates the source provision without substantive change, except it authorizes the governing authority of a local governmental subdivision to remove members of the governing body of an agency creating it and authorize the governing body of the local governmental subdivision to substitute itself for the governing board and to exercise all of its powers and functions.

Section 18. Special Districts and Public Agencies; Consolidation, Merger, and Assumption of Debt

Section 18. (A) Any local governmental subdivision may consolidate and merge into itself any special district or public agency, except school districts, situated and having jurisdiction entirely within the boundaries of such local governmental subdivision. Upon such merger or consolidation the local governmental subdivision shall succeed to and be vested with all of the rights, revenues, resources, jurisdiction, authority, and powers of such special district or public agency. No such action shall take effect unless a majority of the electors of the local governmental subdivision who vote in an election held for that purpose vote in favor thereof.

(B) If the special district or public agency which is abolished has any outstanding indebtedness, the authority provided for by this Section shall not be exercised unless provision is made for the assumption of such indebtedness by the governing authority or authorities of the local governmental subdivision.


Comment: (a) The source provides the legislature may authorize any parish to assume the debt of certain enumerated special districts. The proposed section authorizes any local governmental subdivision to merge into itself any special district or public agency except a school district lying entirely within its boundaries. The requirement of legislative authorization is removed. The present provision requires a majority vote of property taxpayers voting on the question, in number and amount to approve the action. The proposed provision requires a majority vote of the electors. This brings the provision into conformity with recent United States Supreme Court decisions eliminating the taxpayer requirement for voting in such elections.

(b) The proposed section requires the local governmental subdivision to assume any indebtedness of the special district as a condition of the merger.

(c) The present provision only provides for merger when the special district has a debt. Under the proposed section, a local governmental subdivision may merge into itself a special district which has no debt.

Section 19. Historical Preservation Districts

Section 19. (A) In order to promote the educational, cultural, economic, and general welfare of the public through the preservation and protection of buildings, sites, monuments, structures, areas of historic or architectural interest or importance, each local governmental subdivision of the state, acting through a commission or otherwise, shall have the power and authority to establish, operate and maintain historic preservation areas and districts by the adoption of appropriate ordinances and laws, which is hereby declared to be for a public purpose.

mental subdivision shall have the following powers over any agency heretofore or hereafter created by it: (1) to appoint, remove members of the governing body of the agency, including the power to modify or veto its operating budgets, or veto or reduce line items; or to submit an alternative budget for the agency; (2) to exercise budgetary and fiscal control over the agency, including the power to modify or veto its operating budgets, or veto or reduce line items; or to submit an alternative budget for the agency; (3) to direct the governing body of the agency and to substitute itself therefore, with authority to exercise all of its powers and functions; and (4) to abolish the agency if the obligations or indebtedness of the agency are not thereby impaired.

However, such agency has authority to levy, impose any charge, or issue bonds unless the proposal therefore is first approved by the governing authority of the local governmental subdivision; provided, however, that no original approval is granted further approval shall be required.

(C) If the creation of the agency required the concurrence of two or more local governmental subdivisions, concurrence of all of them shall be required for the exercise of the authority of the combined subdivisions.
(B) The governing authority of each local governmental subdivision shall have the power and authority of review of or approval or modification, on the whole or in part, of any action or decision of such commissions.


Comment: The source deals exclusively with the powers and duties of the Vieux Carre Commission. The proposed section authorizes local governmental subdivisions, acting through a commission or otherwise, to establish, operate, and maintain historical preservation areas or districts. No express reference is made to the Vieux Carre Commission.

Section 20. Acquisition of Property

Section 20. Subject to such restrictions as the legislature may provide by general law, political subdivisions may acquire property for any public purpose, including but not limited to acquisition by purchase, donation, expropriation, condemnation, or eminent domain.

Source: La. Const. Art. XIV, §14(b), (b)1, (b)2, (d)1, (d)2, (d)4, (f)1, (f)1m, (m)1 (1921).

Comment: The source provision authorizes certain enumerated political subdivisions to acquire property. The revised section authorizes all political subdivisions to acquire property, subject to restriction imposed by general law.

Section 21. Servitudes of Way: Acquisition by Prescription

Section 21. The public, represented by the various political subdivisions, may acquire servitudes of way by prescription in the manner prescribed by law.


Comment: The proposed section retains the source provision and extends its applicability to include all political subdivisions instead of just parishes.

Section 22. Prescription Against State and Political Subdivisions

Section 22. Prescription shall not run against the state or any political subdivision or special district thereof in any civil matter, unless otherwise provided in this constitution or expressly by general law.


Comment: The proposed section retains the source provision and extends its application to political subdivisions and special districts.

Section 23. Zoning

Section 23. Local governmental subdivisions may enact land use regulations and zoning ordinances and create and declare nonresidential, commercial, industrial, and other districts, and may regulate the preservation of the character of buildings, monuments, structures, and buildings and areas of historical importance. Local governmental subdivisions may enact airport zones and regulate the heights of buildings, structures, and objects of natural growth in areas surrounding airports.


Comment: The source provision grants zoning authority to municipalities generally, and to certain named parishes. The proposed section extends the general authorization to all local governmental subdivisions.

Section 24. Industrial Areas

Section 24. The legislature may authorize parishes to create industrial areas within their boundaries in accordance with any procedure prescribed by the legislature.


Comment: The proposed section continues the legislative authority to permit parishes to create industrial areas, but removes the procedures and regulations in the source provision and leaves it to the discretion of the legislature.

Section 25. Assistance to Local Industry by Political Subdivisions

Section 25. (A) Subject to such restrictions as it may impose, the legislature may authorize any political subdivision, in order (i) to induce and encourage the location of or addition to industrial enterprises therein, or (ii) to provide for the establishment and furnishing of industrial plants for the conversion or processing of raw farm or agricultural products, or (iii) to provide movable or immovable property, or both, for pollution control facilities: (1) to issue bonds and use the funds derived from the sale thereof to acquire and improve industrial plant sites and other property necessary to the purposes thereof; (2) to acquire through condemnation, or otherwise, and to improve, industrial plant buildings and industrial plant equipment, machinery furnishing, and appurtenances; and (3) to sell, lease, or otherwise dispose of all or any part of the forementioned facilities.

(B) It is hereby found and declared that the purposes designed to be accomplished herein are public and proper legal purposes and will be of public benefit to the political subdivision issuing the bonds.

Source: La. Const. Art. XIV, §§14(b)2, (b)3, 33 (1921).

Comment: The source provision provides detailed procedures for the issuance of bonds by political subdivisions to induce, encourage, and aid the location of industry therein. Paragraph (A) of the proposed section adopts the principles that shall be recalled, and the detailed procedures for the issuance of the bonds are omitted from the constitution and should be placed in the statutes.

Section 26. Intergovernmental Cooperation

Section 26. (A) Any political subdivision may exercise and perform any of its authorized powers and functions, including the financing, jointly or in cooperation with one or more political subdivisions, either within or without the United States, or with the United States, the State, or political subdivisions, except as the legislature shall provide otherwise by law.

(B) Except as otherwise provided in this constitution, the legislature shall not by general or special law require political subdivisions to exercise or perform functions jointly or through cooperation with other political subdivisions, nor shall the legislature require consolidation of governmental functions of local governmental subdivisions; provided, however, that the legislature may enact laws authorizing the consolidation of political subdivisions or the joint exercise of powers and functions by political subdivisions, but no such law shall become effective until submitted to and approved by two-thirds of the electors in each of the political subdivisions affected thereby, who vote in an election called for that purpose.

Source: New

Comment: (a) Paragraph (A) authorizes intergovernmental cooperation between political subdivisions, and between political subdivisions and the federal government.

(b) Paragraph (B) prohibits the legislature from requiring intergovernmental cooperation between political subdivisions but allows the legislature to authorize intergovernmental cooperation between political subdivisions subject to voter approval.

Section 27. Recall

Section 27. The legislature shall by general law provide for the recall of state, district, parish, municipal or ward officers, except judges of the courts of record, and except wherein otherwise provided by this constitution. The sole issue to be voted on at any recall election shall be whether such officers shall be recalled.


Comment: The proposed section retains the source provision without substantive change.

Section 28. Uniform Procedure for Calling, Conducting, and Counting the Returns of Certain Special Elections

Section 28. When any election is required to be held in any political subdivision pursuant to the provisions of this constitution which requires submission to the electors of any proposition or question, such as the change of parish lines, the change of location of parish seat, levying of taxes, issuance of bonds or incurring of other debt obligations, the assumption of debt, referendum, recall, or the adoption of a home rule charter, the election shall be called, conducted, and the returns thereof canvassed, in accordance with the laws now or hereafter enacted, the provisions of the Constitutions of the United States and the State, and the same as now exists or may hereafter be amended, or as may be otherwise provided by the legislature.

Source: New

Comment: The proposed section provides that applicable procedures set forth in the statutes shall be followed when holding special elections.

Section 29. Political Subdivisions; Taxing Power; Limitations

Section 29. Political subdivisions may exercise the power of taxation, subject to such limitations as may be else-
where provided in the constitution, under authority granted to them by the legislature for parish, municipal, and local purposes, strictly public in their nature. The provisions of this Section shall not apply to, nor affect, similar grants to such political subdivisions under other sections of this constitution which are self-operative.


Comment: The proposed section retains the source provision limitation of seven mills on municipal alimony taxes, except, municipalities exempt from parochial taxes or those levying their own special taxes at 10 mills. The provision allowing municipalities with a population of 75,000 or more to levy a special tax, not exceeding one mill to provide for three-platoon police systems is deleted. The authority of municipalities of from 15,000 to 30,000 to levy a special tax, not exceeding one and one-half mills for the maintenance of municipal employees' retirement funds is deleted. These special taxes in existence at this time are ratified in Section 32 infra.

(b) The proposed section authorizes an increase in the general alimony tax subject to voter approval.

(c) Paragraph (b) gives municipalities the authority to levy special taxes, subject to voter approval. This which would allow any municipality to levy a special tax, subject to voter approval, for one or both of the enumerated purposes which is now deleted from the source (see comment (a), supra).

(d) As in the source provisions, the limitation on mills for the Orleans is found in the section on parish millage limits.

Section 32. Special Taxes; Ratified

Section 32. (A) Any special tax being levied by any political subdivision under prior laws or the constitution shall remain in effect when this constitution is adopted is hereby confirmed and ratified.

(B) For the purpose of acquiring, constructing, improving, maintaining and operating any work of public improvement, any political subdivision may levy special taxes when authorized by a majority of the voters who vote in an election held for that purpose.


Comment: (a) Numerous special taxes are authorized under this Constitution. The proposed section confirms and ratifies these special taxes.

(b) The term special taxes in this Section refers to the following taxes:

1. The millage tax (five mills for one purpose and for all purposes) political subdivisions are authorized to levy for public works. (Art. X, §10).

A similar provision may be found in the Revised Statutes (R.S. 39:801).

2. The eight mill tax a school district is authorized to levy for schools (Art. X, §10). A similar provision may be found in the Revised Statutes (R.S. 39:801).

3. The five mill tax municipalities are authorized to levy for municipal services (Art. X, §10A). A similar provision may be found in the Revised Statutes (R.S. 39:802).

4. The one mill tax municipalities and parishes are authorized to levy for municipal, district, and park purposes (Art. X, §11). A similar provision may be found in the Revised Statutes (R.S. 35:270 et seq.).

5. The one mill tax a municipality with 75,000 or more inhabitants is authorized to levy for three-platoon police systems. (Art. XIV, §12).

6. The one-half mill tax a municipality with between 15,000 and 30,000 inhabitants is authorized to levy for municipal employees' retirement funds (Art. XIV, §12).

7. The three mill tax New Orleans is authorized to levy for maintenance of fire and police departments and increases in pay of officers and men in said department (Art. XIV, §25).

8. The one mill tax certain parishes are authorized to levy for capital outlay expenditures at Francis T. Nicholls State Coll. (Art. X, §23).

9. The five mill tax political subdivisions are authorized to levy for transportation and utility purposes (Art. XIV, §19). A similar provision may be found in the Revised Statutes (R.S. 39:851 et seq.).


11. Various millage taxes political subdivisions are authorized to levy for school, road, sewerage, drainage, road, lighting, fire protection, hospital service, airport, recreation, and other enumerated purposes (Art. XIV, §14). A similar provision may be found in the Revised Statutes (R.S. 39:851 et seq.).

The above enumerated list may not be inclusive of
all special taxes presently authorized in the 1921 Constitution.

(c) Paragraph (B) retains the source provision (Art. X, §10) authorizing political subdivisions to levy special taxes, subject to voter approval, for public works.

Section 33. Political Subdivisions; Exclusive Authority to Levy Ad Valorem Tax

Section 33. Notwithstanding any provision contained in Article ..., Section ..., of this constitution to the contrary, the power of taxation shall not be exercised by the legislature to levy an ad valorem tax upon any property in any state or subdivision and such power shall or proceedings pursuant to which they are issued. The governing authority of the issuing political subdivision shall levy and collect or cause to be levied and collected on all taxable property in the political subdivision ad valorem taxes sufficiently to pay principal and interest and redemption premiums, if any, on such bonds as they mature.

Source: La. Const. Art. XIV, §14, (a), (b.2), (c), (d.1), (d.2), (d.4), and (m) (1921).

Comment: (a) In some cases, the source provision sets forth requirements for the issuance of political subdivisions to insure that sufficient sums will be collected to pay their bonded indebtedness. In other instances, no such requirements are enumerated.

(b) This Section sets forth uniform requirements upon political subdivisions to assure repayment of their bonds.

(c) General obligation bonds are defined as those bonds, the principal and interest of which are secured by payable from ad valorem taxes levied without limitation as to rate or amount see Paragraph (4) under Section 50.

Section 37. Taxpayer Authorization of Ad Valorem Tax Bonds of Political Subdivisions

Section 37. General obligation bonds may be issued only upon authorization of such bonds. Refunding bonds, even though payable solely from ad valorem taxes, need not be so authorized at an election if the indebtedness refunded is paid or cancelled at the time of the delivery of the refunding bonds, or if money, or securities made eligible for such purpose by law, are deposited in escrow in an adequate amount, with interest, to be utilized solely for the purpose of retiring the refunded indebtedness or bonds and paying interest thereon and redemption premiums, if any, at the time of retirement.

Source: La. Const. Art. XIV, §14, (a), (b.2), (c.3), (f), (g), (k), (1921).

Comment: (a) The source provision contains authority for certain enumerated political subdivisions to incur debt and issue bonds, with the requirement that such bonds may be issued only after authorization by a vote of a majority in number and amount of the property taxpayers voting on the proposition. The proposed section extends this requirement to all general obligation bonds issued by political subdivisions and eliminates the property taxpayer requirement for voting in bond elections.

(b) The source provision authorizes certain specified political subdivisions to issue refunding bonds. The proposed section extends such authority to all political subdivisions and specifically provides that no election is necessary to authorize the refunding of the indebtedness of the bonds the indebtedness refunded is paid or cancelled or sufficient money or security is deposited in escrow.

Section 38. Limitations on Bonded Indebtedness of Political Subdivisions

Section 38. (a) General obligation bonds may be issued by any political subdivision for any single purpose which, including the existing bonds of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the assessed valuation in each subdivision, to be ascertained by the assessment roll for the political subdivision last completed prior to the delivery of such bonds, except that as to both parishwide school districts and other school districts, the limitation shall be twenty-
five percent of the assessed valuation of property, and except as to general obligation industrial development bonds, such limitation shall be twenty percent of the assessed valuation of property in the political subdivision.

(D) For the financing and operating its own schools and not located within a parishwide or other school district shall be regarded as and treated on the same basis for the purpose of debt limitation and shall have the same authority for all purposes of this Section as though it were such a parishwide school district.

(C) The legislature may increase the debt limitations established in this Section by general or special law passed by a two-thirds vote of the elected membership of each house.

(D) Bonds and other debt obligations payable from acreage taxes, sales and use taxes, excess revenues, special assessments, or other special revenues shall not be considered to be bonds payable solely from ad valorem taxes for all purposes of this Section.

Section 39. Limited Time for Contesting Bonds of Political Subdivisions

Comment: (a) The source provision provides that the political subdivisions enumerated therein shall not incur debt and issue bonds which, including the existing bonded debt for such subdivision for such purpose, shall exceed in the aggregate 10 percent of the assessed valuation of the taxable property of such subdivision. The limitation is continued in the proposed section, except it is based on property, not just taxable property, and it is made applicable only to a limited number of purposes.

(b) The source provision provides that the municipality of Monroe shall be treated the same as the parishwide school district or special school district. The proposed section extends this treatment to any municipality that it is authorized or provides for, held under the provisions of this Section, without specifically mentioning the municipality of Monroe.

(c) The source provision increases the limitation for parishwide school districts and special school districts to 25 percent for specifically enumerated purposes. The proposed section increases the limitation for such school districts for all purposes.

(d) The proposed section retains the exception from the above limits for bonds and other debt obligations issued and secured by acreage taxes, sales and use taxes, excess revenues, special assessments, or other special revenues.

Section 40. Local Improvement Assessments

Comment: (a) Paragraph (A) of the proposed section makes no change in the law.

(b) The source provision sets forth requirements similar to those in Paragraph (B) of the proposed section for specified types of bond issues. The proposed section extends the requirements to all types of bond issues or debt obligations.

Section 41. Revenue-Producing Property

Comment: (a) Paragraphs (A) and (B) above are a restatement of source Art. X, §13, and make no change in the law.

(b) The provisions of this proposed section are moved from the source article and placed in the proposed Article on Local Government because this type of indebtedness is an integral part of local improvement financing.

(c) Paragraph (C) above sets forth uniform requirements upon political subdivisions to insure repayment of certificates of indebtedness. In some instances, the source provision, Const. Art. XIV, §14, sets forth requirements for named political subdivision to insure that sufficient revenue will be collected to pay the indebtedness; in other instances, no such requirements are enumerated.

Section 42. Ports

Comment: The proposed section is a restatement of the source provision.

Section 43. Filing of Ordinances

Comment: The proposed section would make no change in the existing law.

Section 44. Evert Nature of Ordinance

Comment: The proposed section makes no change in the law.
established deep-water port except by at least a two-thirds vote of the elected membership of each house; (C) Notwithstanding the provision of Paragraphs (A) and (B) of this Section, the legislature shall by law provide for or designate the method of selection and composition of the Board of Commissioners of the Port of New Orleans and define its territorial jurisdiction.

(2) After the exercise of authority as provided in subparagraph (I) above, the legislature may only affect the Board of Commissioners of the Port of New Orleans as provided in Paragraphs (A) and (B) of this Section, except that no change in the territorial jurisdiction of said port shall affect the territorial jurisdiction of any other existing deep-water port.

(3) In the event the legislature does not exercise the authority granted in subparagraph (I) above within ten years after the adoption of this constitution, the composition and territorial jurisdiction of said board shall not be changed except in compliance with Paragraphs (A) and (B) of this Section.

Source: New Comment: (a) The proposed section ratifies and confirms all existing deep-water port commissions and all deep-water ports, terminals, and terminal districts.

(b) A two-thirds vote of each house of the legislature will be needed in order to diminish or reduce any power and function or affect the structure and organization or territorial jurisdiction of an existing deep-water port. However, the legislature will be able to grant additional powers and functions and create new ports by a majority vote.

c) Within 10 years of the adoption of the new constitution, the legislature may change the territorial jurisdiction, the method of selection and composition of the Board of Commissioners of the Port of New Orleans by a majority vote. After the legislature makes any change or if the legislature fails to act within 10 years, a two-thirds vote of the legislature will be necessary to make the above changes.

Section 43. Levee Districts

Section 43. (A) Levee districts as now organized and constituted shall continue to exist, except that:

(1) The legislature may provide for the consolidation, division, or reorganization of existing levee districts or create new levee districts; provided, however, the members of the boards of commissioners of such districts shall be appointed or elected from residents of such district;

(2) Any levee district whose flood control responsibilities are limited to and which is situated entirely within the boundaries of one parish may be merged and consolidated into such parish under the terms and conditions in the manner provided in Section 16 of this Article. This provision shall be self-operative.

(B) No action taken hereunder shall impair the obligations of any outstanding bonded indebtedness or of any other contract of such levee district.

Source: New Comment: (a) Paragraph (A) provides for the continued existence of levee districts as now organized. It allows the legislature to consolidate or reorganize existing levee districts or create new districts, provided, the members of the boards of commissioners must be residents of such districts. It provides for the merger of a single-parish district into a parish government.

(b) Paragraph (B) forbids the impairment of contracts of any district.

Section 44. (A) For the purpose of constructing and main- and Refunding Bonds; Increase in Tax to Raise Additional Funds

Section 44. (A) For the purpose of constructing and maintaining levee districts, flood protection, hurricane flood protection and for all other purposes incidental thereto, the governing authority of each district, may levy annually a tax not to exceed two and one-half mills on the dollar, on all taxable property situated within the alluvial portions of said district subject to overflow.

(B) Should the necessity to raise additional funds arise in any levee district for any of the purposes herein set forth, or for any other purpose related to its authorized purposes, funds may be raised by the adoption of the tax hereinbefore mentioned, which may be specified by the legislature, the tax herein authorized may be increased; provided, however, before taking effect, the necessity for the increase and the rate thereof shall be submitted to the electors of such district and no increase in taxes shall occur unless a majority of the qualified voters in such district vote in the election hereinafter provided for vote in favor thereof.


Comment: (a) Paragraph (A) retains the source provision except:

(1) It adds flood protection as one of the purposes for which levee districts may levy a tax. The Orleans Levee District has this authority under the present constitution.

(2) It adds hurricane flood protection as a purpose for which levee districts, including Orleans, may levy a tax.

(3) It removes land reclamation and the payment of existing and future indebtedness as purposes for which the Orleans Levee District may levy a tax.

(b) Paragraph (B) repeats the source provision and provides for an election procedure to raise additional funds.

Section 45. Bond Issues

Section 45. (A) Subject to the approval of the State Bond Commission or any successor thereto, the governing body of any levee district may fund the avails of said taxes or other revenue from bonds, or other evidences of indebtedness, the proceeds thereof to be used for the purposes mentioned in this Article or for the funding or payment of any outstanding indebtedness.

(B) Bonds issued under the authority of the foregoing provision shall be in accordance with applicable provisions of the Louisiana Revised Statutes relating to the issuance of bonds by levee districts.


Comment: (a) The source provision requires the legislature to authorize the funding of bonds. Paragraph (A) of the proposed section allows the governing authority of a levee district to fund bonds with the approval of the State Bond Commission or any successor thereto.

(b) Paragraph (B) deletes the limitation in the source provision that the percentage of annual interest not exceed six percent and deletes the requirement that the bonds shall be sold at no less than par and accrued interest.

Section 46. Interstate Districts

Section 46. The legislature, with the concurrence of an adjoining state, may create levee districts composed of territory partly in each state, and may authorize the construction and maintenance of levees wholly within another state.


Comment: The proposed section retains the source provision without change.

Section 47. Cooperation with Federal Government

Section 47. All governing authorities of levee districts which have been, or may be created, are authorized to cooperate with the federal government in the construction and maintenance of the levees in this state, on such terms and conditions as may be provided by the federal authorities and accepted by the levee districts.


Comment: The proposed section retains the source provision, except it provides for acceptance by levee districts instead of state authorities.

Section 48. Compensation for Property Used or Destroyed by Tax

Section 48. (A) Land and improvements thereon hereby or actually used or destroyed for levees or levee drainage purposes shall be paid for at a price not to exceed the assessed value for the preceding year; provided, if property used or destroyed for levee drainage purposes from a landowner shall exceed more than one-third the value of that landowner's property and improvements, the land and improvements thereon used or destroyed for such purposes shall be paid for at fair market value; and provided further, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to matters over property the control of which is vested in the state or any political subdivision thereof for the purpose of commerce.

(B) If the district has no other funds or resources out of
which such payment can be made, it shall levy, on all taxable property situated within the district, a tax sufficient to pay for said property so used or destroyed to be used solely in the district where collected.

Nothing contained in this Section shall prevent the appropriation of said property before payment.


Comment: (a) Paragraph (A) repeats the source provision with the following options:

1. Other-Dillard progeny,
2. State the committee shall change the nature of the exercise of the power herein conferred from that of appropriation to that of expropriation. More specifically, the rationale of Boyce Cottonseed Oil Mfg. Co. v. Board of Comrs., 160 La. 727, 107 So. 509 (1926) and its progeny, holding that payment of the assessed value is merely a gratuity and that no payment at all is required, is approved and confirmed. However, it was felt that in certain circumstances the equities of the situation were in favor of increasing the gratuity paid to the landowner from assessed value to fair market value.

(b) Paragraph (B) retains the source but removes the one-fourth of one mill limitation on the tax that may be levied.

(c) Paragraph (C) retains the source provision.

Section 49. Supremacy of Constitution.

Section 49. The provisions of this constitution shall be paramount and neither the legislature, nor any political subdivision shall enact any laws or ordinances in conflict therewith.

Source: New

Comment: Provides for supremacy of the constitution over laws and ordinances enacted by the legislature and by political subdivisions.

Section 50. Terms Defined.

Section 50. As used in this Article:

1. "Deep-water port commissions and port, harbor, and terminal districts" means those ports which are capable of accommodating vessels of at least twenty-five feet of draft and engaged in foreign commerce;

2. "Functions" means duty in the sense that it is complementary of the power (ability) conferred and as such may be performed by the legislature;

3. "General law" means a law of statewide concern which is uniformly applicable to every political subdivision in the entire state or which is uniformly applicable to all political subdivisions within the same class as established in accordance with the classification provisions of Section 6 of this Article;

4. "General obligation bond" means those bonds, the principal and interest of which are secured by and payable from ad valorem taxes levied without limitation as to rate or amount;

5. "Governing authority" means the body which exercises the legislative functions of the political subdivision;

6. "Local governmental subdivision" means any parish or municipality;

7. "Municipality" means all incorporated cities, towns, and villages;

8. "Political subdivision" means parishes and municipalities, and any other unit of local government authorized by law to perform governmental functions;

9. "Powers" means ability or capacity, synonymous with inherent or basic authority, to indulge in a particular unlawful;

10. "Special law" means any law other than a general derailing or to provide or perform a certain service;

11. "Structure and organization" means the structure and organization and/or the particular distribution and redistribution of powers and functions and/or the supervision, control, and internal arrangement of the component parts of the political subdivision.

Source: New

Comment: The terms "powers", "functions" and "structure and organization" are given the same definitions as given them by the court in the case of La Fleur v. City of Baton Rouge, 254 So. 2d 1244, 1246 (La. App. 1972), with approval by the Louisiana Supreme Court in Leetler v. Jefferson Parish, 254 La. 1967, 229 So. 2d 101 (1969).

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 9—

ARTICLE VII. HUMAN RESOURCES

Section 1. State and City Civil Service;

Section 1. (A) Civil Service System; State; Cities.

1. (1) State Civil Service. "State civil service" means all offices and positions of trust or employment in the executive department of the state, or any board, commission, department, independent agency, or other agency thereof, except as otherwise specifically provided in this constitution, and all offices and positions of trust or employment in the employ of joint state and federal agencies administering state or federal funds, or both; joint state and municipal agencies administering state or municipal funds, or both; joint state and parochial agencies administering state or parochial funds, or both; irrespective of whether the pay for such offices and positions of trust or employment is to be furnished by the state, municipalities, or parochial funds, or funds contributed jointly by the state and municipalities or parishes or involved.

2. (2) City Civil Service. "City civil service" means all offices and positions of trust or employment in the employ of the city of Baton Rouge, Louisiana, which the council, city board, commission, department, or agency thereof, except as otherwise specifically provided in this constitution.

3. (B) State Civil Service Commission

(B)(1) Membership. A State Civil Service Commission is to be composed of five members, who are citizens and qualified electors of the state. Three members of the commission shall constitute a quorum. The five members shall be appointed by the governor for overlapping terms of six years as hereinafter provided. The domicile of the members shall be in the city of Baton Rouge, Louisiana.

(B)(2) Nominations. The presidents of Loyola University of the South, Centenary College, Tulane University of Louisiana, Louisiana College, and Dillard University each shall nominate three persons, in the order of their preference, and if more than three persons are nominated by any one of these universities, the governor shall appoint one to serve as a member of the commission.

(B)(3) Vacancies. Vacancies for any cause shall be filled by appointment in accordance with the procedure governing the nomination of members. Within thirty days after a vacancy occurs, the university president concerned shall submit the required nominations. Within thirty days thereafter, the governor shall make his appointment. Should the governor fail to appoint within thirty days after submission of names, he shall automatically become a member of the commission.

If for any reason nominations are not submitted to the governor by any of the college presidents herein named, within the time herein designated, the vacancy on the commission for the term or the unexpired term resulting from such failure to nominate shall be filled by a majority vote of the other members of the State Civil Service Commission.

4. (4) Transition. Each person who, on the effective date of this constitution, is a member of the State Civil Service Commission shall continue in office to fill out the term to which he was appointed. Within thirty days after the expiration of the term of the commissioner nominated by Louisiana State University and Agricultural and Mechanical College, and the president of Dillard University shall cite three names to the governor for appointment to the commission as herein provided. The initial term of this Dillard nominee shall be six years.

5. (5) Removal. A number of the State Civil Service Commission may be removed by the governor for just cause after a copy of the charges against him has been served on him and an opportunity for a public hearing thereon is afforded by his appointing authority.

6. (6) Compensation. Members of the commission shall be compensated for each day devoted to the work of the commission. The amount of compensation shall be determined by the legislature.

(C) City Civil Service Commission
(G)(1) Membership. A city civil service commission is created for each city having a population exceeding four hundred thousand. The city civil service commission shall be composed of five members, who are citizens and qualified electors of the city. Three members of the commission shall be appointed by the mayor and two shall be appointed by the governing authority of the city. The members shall serve overlapping terms of six years as hereinafter provided. The domicile of the commission shall be in the city which it serves.

Nominations. In the city of New Orleans, the presidents of Tulane University of Louisiana, Loyola University of the South, and Dillard University shall each nominate three persons, in the order of their preference, and from the three persons so nominated by each, the governing authority of the city shall appoint one to serve as a member of the commission. One member shall be appointed by the governing authority of the city. One member shall be an employee within the classified service of the city, elected by the classified city employees. If any member is nominated are not submitted to the governing authority of the city by any of the college presidents herein named within the time herein designated, the vacancy on the commission for the term or the unexpired term resulting from such failure to nominate shall be filled by a majority vote of the other members of the city civil service commission.

In other cities subject to the provisions of this Section three members of the commission shall be nominated by the presidents of the three universities of the area. Persons shall be appointed (B)(2) in accordance with the procedure therein provided. Commissioners appointed by the governing authority of the city and the classified city employees shall be appointed in accordance with the procedure specified in Paragraph (C)(2).

(3) Vacancies. Vacancies for any cause shall be filled by appointment or election in accordance with the procedure for the original appointment and from the same source. Within thirty days after a vacancy occurs, the university presidents shall submit the names of the persons qualified to fill the vacancy to the governing authority of the city. Within thirty days thereafter, the governing authority of the city shall make the appointment. Should the governing authority of the city fail to appoint within the thirty days, the name of the first on the list shall automatically become a member of the commission.

The election of the member representing classified city employees shall be called by the governing authority and held at least sixty days prior to the expiration of that term. In the case of a vacancy prior to the expiration of a term in the office of the member representing classified employees, an election to fill the vacancy for the unexpired term shall be held within thirty days after the vacancy occurs.

(4) Transition. Each person who, on the effective date of this constitution, was nominated by Tulane University, Loyola University of Civil Service Commission shall continue in such position for the remainder of the term to which he was appointed. Within thirty days after the effective date of this constitution, the president of Dillard University shall submit three names to the governing authority of the city for appointment to the commission as herein provided. The initial term of the appointee shall be three years. Within thirty days after the effective date of this constitution, the governing authority of the city shall call and hold an election for the member to represent classified city employees. The initial term of the classified employee shall be five years.

In other cities, each member serving on the effective date of this constitution shall continue in office until the expiration of his term. The governing authorities of such cities shall provide for the election or appointment of additional members in the implementation of this Section in accordance with provisions hereof.

(5) Removal. A member of the city civil service commission may be removed by the city governing authority for just cause after a copy of the charges against him has been served on him and an opportunity for a public hearing thereon is afforded by his appointing authority.

(6) Compensation. Members of the commission each shall be compensated for each day devoted to the work of the commission. The amount of compensation shall be determined by the governing authority of the city.

(4) Department; State Civil Service. A Department of State Civil Service is created in the state government.

(5) Department of City Civil Service. A department of city civil service is established in each city government of each city having a population exceeding four hundred thousand.

(E) Directors; State; City Service. The State Civil Service Commission and the city civil service commission shall appoint a director of civil service, who shall be the chief executive head of each commission who shall be in the classified service. The director shall be appointed by the appropriate commission from a list of persons determined to be eligible for the position on the basis of merit, efficiency, and fitness, which shall include competitive examination and other factors as the commission deems advisable. The director shall appoint personnel and exercise powers and duties to the extent prescribed by the commission.

(2) Classified and Unclassified Service. The state civil service and the city civil service are divided into the classified service and the unclassified service. The classified service shall include all officers and employees in the state civil service and the city civil service except:

(1) shall be made after certification by the filling of a vacancy in electives; (2) heads of principal departments appointed by the governor, the mayor, or governing authority of the city; (3) city attorneys; (4) members of state and city boards, commissions, and agencies; (5) person holding a classified civil position shall be retained by any officer, board, commission, department, or agency mentioned in (1), (2), and (4), except the State Department of Civil Service and the departments of city civil service; (6) employees of the state, including elected and appointed teaching and professional staffs, and administrative officers of the schools, colleges, and universities of the state, and bona fide students of such institutions employed by any state agency; (7) administrative officers and employees of courts of record, of the legislature, of the officers of the governor, the lieutenant governor, of the attorney general, of the office of the mayor of the several cities, of police judges, and of school boards; (8) registrars of voters, the state tax collector for the city of New Orleans, and one chief deputy selected by the city; (9) custodians and deputy custodians of voting machines.

(G) Appointment and Promotion

(G)(1) Certification. Permanent appointments and promotions in the classified state service and classified city service shall be made only after certification by the appropriate department of civil service under a general system based upon merit, efficiency, length of service, and fitness, which shall be ascertained by competitive examinations insofar as practicable, and employees and officers in the classified service shall only be removed or transferred for cause, as determined by the appropriate commission or other entity which holds the power of certification. The number to be certified shall be not less than five; however, if more than one vacancy is to be filled, the name of one additional eligible for each vacancy may be certified and special and different lists may be established in the case of reemployment and reinstatement. The commission shall adopt rules for the method of certification of persons eligible for promotion and promotion and shall provide for appointments defined as emergency and temporary appointments.

(2) Veterans. The Department of State Civil Service and a department of city civil service shall accord a five-point preference in original appointment to each person honorably discharged, or discharged under honorable conditions from the armed forces of the United States, after having served between the wartime dates of April 6, 1917 and November 11, 1918, both dates inclusive; or between September 16, 1940 and July 25, 1947, both dates inclusive; or between June 27, 1950 and January 31, 1955, both dates inclusive; or who served in the Viet Nam Theater between July 2, 1965, and the present date. The Department of State Civil Service shall declare by law to be the date of termination of service for members of the armed forces to receive credit for the award of the Viet Nam Service Medal, both dates inclusive; or who served in the peace-time campaigns or expeditions for which medals have been awarded. The Department of State Civil Service and a department of city civil service shall accord a ten-point preference in original appointment to each honorably discharged veteran who served either in peace or in war and who has one or more disabilities recognized by the Veterans Administration as service-
conceded; to the spouse of each veteran who is in such poor physical condition as to preclude his or her appointment to a civil service job in such place of employment as may be determined by the head of the department. The burden of proof on appeal, as to the facts, shall be on the employer. The appeal to the civil service commission shall be made by the unsuccessful or defaulted candidate against the decision. The rulings of the commission are subject to review by the court of appeal wherein each commission is located.

(i) Rules and Regulations. The State Civil Service Commission and a city civil service commission are vested with general rule-making power and authority to adopt rules for the administration of the classified civil service, including but not limited to rules and regulations relating to employment, promotion, demotion, suspension, reduction in pay, removal, or dismissal; work-test methods, uniform pay plans, classification plans, employment conditions, and disbursements to employees, and generally to carry out and effectuate the objectives and purposes of the merit system of civil service as herein established. These rules and regulations shall have the force of law, and affecting wages and hours shall become effective and shall have the force of law only after approval of the governor or the governing authority of the city.

(j) Political Activity. No member of any civil service commission shall be a candidate for nomination or election to any public office or hold any other public office or position of public employment whatsoever, the classified employment of the employee elected to the city commission, the widow, father, mother, any public or military or naval officer, or dean or member of the faculty of any public or nonprofit corporation; or shall be a candidate for nomination or election to any position in a political party or faction or make or solicit contributions for any political party, faction, or candidate, nor take active part in the management of the affairs of a political party, faction, or candidate or any political campaign, or in any political action, or engage in any political activity; but he shall be allowed to express his opinion, to serve as a commissioner or as an official watcher at the polls, and to cast his vote as he desires. No person shall solicit contributions for political purposes in any classified employee or official, nor use or engage in any attempt to use his influence or authority or his official service to punish or coerce the political action of such person.

No member of the State Civil Service Commission or a city civil service commission and no officer or employee in the classified service shall participate or engage in political activity or be a candidate for nomination or election to any public or political office or position of public employment, or act as a solicitor of any kind of any nomination or election to any position in a political party or faction or make or solicit contributions for any political party, faction, or candidate, nor take active part in the management of the affairs of a political party, faction, or candidate or any political campaign, or in any political action, or engage in any political activity; but he shall be allowed to express his opinion, to serve as a commissioner or as an official watcher at the polls, and to cast his vote as he desires. No person shall solicit contributions for political purposes in any classified employee or official, nor use or engage in any attempt to use his influence or authority or his official service to punish or coerce the political action of such person.

Political activity is defined as an effort made to insure the election of a nominee for political office or the support of a political party or faction, or the adoption of any political action. There shall be no prohibition against support of issues adverse to indebtedness, tax referenda, or constitutional amendments, or the participation or membership in an organization which is not a political organization but which may from time to time express its opinion on a political issue.

(K) Violations; Appeals. The State Civil Service Commission and the city civil service commission may investigate violations of this Section and the rules and regulations adopted pursuant hereto. It may impose penalties for violations of these rules and regulations. The section or rule may be enforced by any suit or action to enjoin the violation. These proceedings may be brought in any court of competent jurisdiction. If any person who wilfully violates any provision of this Section or any rule, or shall not have charged against him for such violation or of the violation is not guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

(M) Acquisition of Permanent Status. Each officer and employee in the classified civil service shall be classified as a permanent employee, and the civil service commission shall retain such status in the position, class, and rank held on such date and thereafter shall be subject to and be governed by the provisions of this Section and the rules and regulations adopted thereunder.

(N) Existing Laws. All existing laws relating to employees in the classified civil service not inconsistent with this Section are continued in force. Neither the commission of each city nor the governing authority of each city shall exercise
any power or authority which is inconsistent or in conflict with any general law. The State Civil Service Commission shall hold such powers as may be necessary to carry out its functions, and any or all employees which operate a regularly paid fire and police department and which have a population of not less than thirteen thousand according to the latest regular federal census for which the official figures have been made public.

The service shall embrace the positions of employment, the officers, and employees of the municipal fire and police departments.

(B) Definitions. The following words and phrases when used in this Section shall have the following meanings unless the context clearly requires otherwise:

"Allocation" means the determination of the class to which a position in the classified service belongs.

"Appointing authority" means any official, officer, board, commission, council, or person having the power to make appointments to positions in the municipal fire and police service.

"Appointment" means the designation of a person, by due authority, to become an employee in a position, and his induction into employment in the position.

"Board" means the municipal fire and police civil service board.

"Class" or "class of position" means a definitely recognized kind of employment in the classified service, designated to embrace positions that are so nearly alike in the essential character of their duties, responsibilities, and consequent qualification requirements, that they can fairly and equitably be treated alike under like conditions for all personnel purposes.

"Classification plan" means all the classes of positions established for the classified service.

"Classified service" means every appointive office and position of trust or employment in the municipal government which has as its primary duty one of the functions required of regular or classified service, as defined by the provisions of this Section, and excludes all elective and appointive offices and positions of trust or employment which have a primary duty specifically set forth to be included in the unclassified service by the provisions of this Section.

Demotion" means a change of an employee in the classified service from a position of one class to a position of a lower class which generally affords less responsibility and pay.

"Department service" means employment in the public service offered and performed separately by the fire and police departments of the municipality.

"Eligible" means a person whose name is on a list.

"Employee" means a person legally occupying a position.

"Employment list" or "list" means a reinstatement employment list, a promotional employment list, a competitive employment list, and a reemployment list.

"Final list" means a permanent master list of employees appointed, employed, or reemployed in the classified service of the municipal fire and police services, the duties of which are to be rendered by one person.

"Promotion" means a change of an employee in the classified service from a position of one class to a position of another class which generally affords increased responsibilities and pay.

"Promotion list" or "promotion list" means an employment list containing the names of eligible persons established from the results of promotion tests given for a particular class of positions which is not specifically required by this Section to be established from the results of a competitive test.

"Promotion test" means a test for positions in a particular class which is not specifically required by this Section to be filled by competitive test, admission to which is limited to regular employees of the next lower class, or the next lower classes when authorized by the rules, in the classified service.

"Reemployment list" means an employment list for the purpose of reemploying any or all employees who have been laid off under the "layoff" provisions of this Section.

"Regular employee" or "permanent employee" means an employee who has been appointed to a position in the classified service in accordance with this Section after completing his working test period.

"Reinstatement employment list" or "reinstatement list" means an employment list containing the names of persons eligible for reinstatement in positions of a class from which they have been demoted for reasons other than disciplinary action.
(20) "Seniority" means the total employment computed for an employee beginning with the last date on which he was regularly and permanently appointed and has worked continuously in any department of the United States subsequent to May 1, 1940, shall be construed to mean continuous service and shall be included in the computation of his seniority. Total seniority in the department, in the respective division of any and all classes, or seniority in any one or more classes, may be computed for an employee; but in either case employment shall be continuous and unbroken by a resignation or discharge of the respective employee. An employee who is finally released by the department shall have his chairman, and a secretary. The domicile of the board shall be in the municipality it serves.

(21) "Temporary appointment" means the appointment of an employee for limited period of service without acquiring the status of an employee, of any continuing right to be retained beyond the period.

(C) Municipal Fire and Police Civil Service Boards

(C) (1) Composition. A municipal fire and police civil service board is created in the municipal government. The board shall be composed of five members who shall serve without compensation. The board shall have its chairman, and a secretary. The domicile of the board shall be in the municipality it serves.

(2) Eligibility. To be eligible for appointment or to serve as a member of a board a person shall be a resident of the United States of America, a resident of the municipality in which he is to serve for at least five years next preceding his appointment, and shall, at the time of his appointment, be a qualified voter of the municipality. Any employe who is employed while acting as a member of a board shall be paid by the municipality a regular employee position or office lower than that of chief, assistant chief, district chief, or battalion chief of his department. No member of a board shall have been, during a period of six months immediately preceding his appointment to a board, a member of any local, state, or national committee of a political party, or an officer or member of a committee in any factional political club or organization. No member of a board shall be a candidate for nomination or election to any public office or hold any other public office or political employment except that of a notary public, a military or naval officer, or office of a municipal fire or police department which is expressly required by the provisions of this Section.

(3) Membership. The members of the board shall be appointed by the governing body as follows:

(a) One shall be appointed by the governing body upon its own nomination.

(b) Two members shall be appointed from a list of four nominees, which shall be furnished within thirty days after receiving such request by the executive head of a legally chartered and established institution of higher education. The governing body, in the municipality; or, if there is no such institution in the municipality, by the executive head of any such institution of the governing body's choice within the state.

(c) Two members shall be appointed who shall be first nominated and elected by and from the regular employees of the fire and police departments as follows:

One member shall be elected and appointed from the fire department, and one member shall be elected and appointed from the police department. The employee-nominee from each department shall be elected by secret ballot of the regular employees designated at an election to be called and held for that purpose by the chief of the department. The chief of each department shall call an election within forty-five days after this Section takes effect in the municipality by posting, for a fifteen-day continuous period immediately preceding the election a notice thereof on the bulletin board of each station house of his department, and shall officially notify the governing body of the municipality within the ten-day period immediately following the election, the name of the employee-nominee elected by the regular employees of his department. The chief of the department shall vote in the election only in the case of a tie vote.

(4) Term. The term of office for all members of the board shall be for a period of three years when a municipality chooses to provide for a term of three years in this Section. The first member appointed by the governing body of the municipality upon its own nomination shall serve for a period of two years; the first employee members nominated and appointed as provided above shall serve a term of one year. Each member shall serve until his successor has been appointed and qualified.

(5) Vacancies. Upon the term of office expiring for a member of a board, or because of a vacancy in the office of any member thereof, the governing body of a municipality shall immediately appoint a successor to fill the unexpired term of the outgoing member was appointed; and such successive appointment shall be made within ninety days immediately following the expiration or vacancy.

(6) Oath. Each member shall take the oath of office before entering upon the duties of his office. His oath shall include a statement to uphold the constitution and laws of Louisiana and of the United States; to administer faithfully and impartially the provisions of this Section and the rules adopted under the authority of this Section.

(7) Removal. Any member of a board shall be liable to removal from office by judgment of the district court of his domicile for high crimes and misdemeanors in office, incompetency, corruption, favoritism, extortion, oppression in the discharge of his official duties, or misbehavior in office of a municipal fire or police service board; and, in the case of the district attorney of the district wherein the board resides, may institute such suit, and shall do so upon the written request, specifying the charges, of twenty-five citizens or taxpayers of the municipality of which the board member is a resident. The district attorney shall associate in the diligent prosecution of such suit any attorney selected and employed by the citizens and taxpayers.

(8) Organization. The governing body of the municipality shall advise, within and not later than the expiration of the ninetynine-day period following the appointment of the board members, each appointee of his appointment and term of office as a member of the municipal fire and police civil service board; and, an official record thereof shall be placed in the official minutes of the governing board.

New members of the board shall meet within thirty days after their appointment in their first official meeting; take the oath of office; elect a chairman and vice chairman; and transact any other business pertinent at that time. The chairman of the board shall serve as chairman of this Section or as member of the board; and, in the case of the board member, vice chairman of the board, with the same duties as the chairman. The chairman shall be designated by the board of members, at their option, to serve as chairman of the board and be designated as an officer of the board or as chairman of the board, and shall serve as such to the extent of and for such time as the board shall designate him.

At the discretion of the board, the office of secretary shall be filled:

(a) By electing one of its members thereto;

(b) By appointing the city clerk or secretary-treasurer of the municipality or of the office of police or fire department in the municipality or of any other person having the legal authority to administer it.

A chairman and vice chairman shall be elected by the members of the board. The term for which either the chairman or the vice chairman shall serve as such shall be for a period of three years and shall be renewable.

At the discretion of the board, the office of secretary shall be filled:

(a) By electing one of its members thereto;

(b) By appointing the city clerk or secretary-treasurer of the municipality or of the office of police or fire department in the municipality or of any other person having the legal authority to administer it.

(c) By employing and paying on a part-time basis any other person a salary not to exceed twenty dollars per month; or

(d) By requiring the state examiner to act in such capacity. The board may terminate the term of office of any person serving as its secretary at any time. No person serving as secretary of a board, except a member thereof, shall have the right to vote in its proceedings. The secretary shall attend the meetings of the board; keep a record of all proceedings; attend all correspondence directed to him, and other correspondence ordered by the chairman; perform other functions assigned to him by the board; and cooperate with the state examiner in a manner that will assist the examiner to carry out effectively the duties imposed upon him by this Section, or those functions which may be requested of him by the board.

The board shall meet at any time after its original meeting upon the call of the chairman, who shall give all members of the board due notice thereof. The chairman of the
board shall call, and the members of the board shall attend, one regular meeting of the board within each quarterly period of each calendar year. If a chairman fails or refuses to call such quarterly meeting of his board, the members of the board shall meet upon the written call of any two members mailed ten days in advance of the meeting. Four members of the board shall constitute a quorum and the concurring votes of any three members comprising the quorum of the board shall be sufficient for the decision of all matters to be decided or transacted by it. Meetings of the boards shall be open to the public.

(D) Board; Duties

(1) Represent the public interest in matters of personnel administration in the fire and police services of the said municipal government.

(2) Advise and assist the governing body, mayor, commissioner of public safety, and the chiefs of the fire and police departments of the municipality, with reference to the maintenance and improvement of personnel standards and administration in the fire and police services, and the classified system.

(3) Advise and assist the employees in the classified service with reference to the maintenance, improvement, and administration of personnel matters related to any individual or group of employees.

(4) Make, at the direction of the mayor, commissioner of public safety, or the chief of the fire or police department, or upon the written petition of any citizen for just cause, or upon its own motion, any investigation concerning the administration of personnel or the compliance with the provisions of this Section in the said municipal fire and police departments. After hearing, inquiry, or investigation by or on its own motion, any of its actions, take any other action which it determines to be desirable or necessary in the public interest, or to carry out effectively the provisions and purposes of this Section.

(5) Investigate and pass upon complaints by or against any officer or employee in the classified service for the purpose of demotion, reduction in position or abolition thereof, suspension or dismissal of the officer or employee, in accordance with the provisions of this Section.

(6) Hear and pass upon matters which the mayor, commissioner of public safety, the chiefs of the departments affected by this Section, and the state examiner of municipal fire and police civil service bring before it.

(7) Make, alter, amend, and promulgate rules necessary to effectively carry out the provisions of this Section.

(8) Adopt and maintain a classification plan. The classification plan shall be adopted and maintained by rules of the board.

(9) Make reports to the governing body, either upon its own motion, or upon the official request of the governing body, regarding general or special matters of personnel administration in and for the municipal fire and police services of the municipality, or with reference to any appropriation made by the governing body for the expenses incident to the operation of the board.

(E) Rules. Each board may adopt and execute rules, regulations, and orders necessary or desirable effectively to carry out the provisions of this Section and shall do so when expressly required by this Section. No rule, regulation, or order may be revoked, amended, or declared null and void after approved by the state examiner as said examiner shall be given an opportunity to show cause why the proposed rule, amendment, or any part thereof should not be adopted. Before the board holds this public hearing, it shall furnish at least thirty days notice in advance of the date, time, and place therefor to the mayor, commissioner of public safety, and other municipal commissioner whom the rule may in any way affect, the chief and each member of the departmental service to be affected by the adoption of any such rule, and to the state examiner. A copy of any proposed rule or amendment shall be furnished with all notices. Each notice and copy of a proposed rule furnished the various stations of a respective department shall be posted upon the bulletin board of each station for a period of at least thirty days in advance of the hearing thereon.

Within thirty days after the board has adopted any rule, whether it is a new rule or amendment of an existing rule, or an abolition in whole or part thereof, it shall furnish an official copy thereof to all persons and places set forth above.

Rules adopted under the authority of this Section shall have the force and effect of law.

(F) Personnel

(1) State Examiner. The office of state examiner is created. He shall be a resident and qualified voter of the state. He shall be a person who has had experience in the field of personnel administration. He and the deputy state examiner of the municipal fire and police civil service shall be unalterably and amenable to the classified service of the state as established and existing, except no pay plan thereunder shall be applicable to the said state examiner or deputy state examiner. The state examiner and deputy state examiner shall be subject to the provisions of the State Civil Service Commission for a good and sufficient cause set forth in written charges filed with the commission by any one of the municipal fire and police civil service boards created by this Section or by any qualified elector of the state, and only after a public hearing by the state commission to be in accordance with rules to be adopted by the said commission.

(2) Deputy State Examiner. The office of deputy state examiner of Municipal Fire and Police Civil Service is created, subject to the supervision and control of the state examiner. He is hereby made and empowered to exercise the authority and perform the duties of the state examiner as herein provided. He shall receive and be paid a salary in the amount fixed by the governor and shall be paid living expenses while away from the place of his residence.

(3) The State Civil Service Commission shall exercise no administrative control over the state examiner or deputy state examiner. Its functions and powers relating to this personnel examiner shall consist solely of the right of appointment, hearing of charges for removal or other disciplinary action legally brought against the incumbents of these offices, and the ordering of their removal or the rendering of such other judgment of a disciplinary nature as it may deem proper and in accordance with Section 1665, Revised Laws of Louisiana.

(4) Vacancy. When a vacancy occurs in the office of the state examiner or deputy state examiner, the State Civil Service Commission shall make a provisional appointment of any person it deems qualified to fill the vacancy created by such vacancy. Such person shall hold the appointment only during the unexpired term of the person appointed to fill the vacancy, or until a successor is appointed and qualified. The State Civil Service Commission shall appoint one of the three persons ranked highest upon said eligible list to fill the office; and the person thus appointed shall serve a working test period of six months which shall be considered a portion of the examination. At the termination of such working test period, if successfully completed, and if the person appointed is chosen by the State Civil Service Commission as defined in the State Civil Service Law and subject and amendable thereto to the same extent as the original state examiner as hereinbefore set forth and may be subject to removal or other disciplinary action by the State Civil Service Commission as provided at any good and sufficient cause set forth in written charges filed with the commission by any one of the municipal fire and police civil service boards created by this act, or by any qualified elector of the state, and only after a public hearing by the state commission to be held in accordance with rules to be adopted by the State Civil Service Commission.

(G) State Examiner; Location; Salary; Duties

(1) Location. The state examiner shall maintain a suitable office in the city of Baton Rouge. The officer charged by law with the custody of state buildings shall assign suitable office space to the examiner. The examiner
shall appoint employees necessary for him to carry out his duties effectively. All of the employees appointed by the state examiner, except persons employed on a temporary basis to conduct or assist in giving examinations, shall be selected by him after certification to him by the State Department of Civil Service of names from eligible lists established by the State Department of Civil Service and they shall, in all other respects, be covered by the provisions of existing civil service laws and rules and regulations legally adopted by the Department of State Civil Service.

(2) Salary. The state examiner shall serve on a full-time basis and shall be paid a salary of not less than forty-two thousand dollars per year. He shall be paid for his traveling and living expenses while away from the city of Baton Rouge.

The state examiner shall take the oath of office and furnish bond for the faithful performance of his duties according to law in the sum of five thousand dollars. The premium of the bond shall be paid from the funds appropriated to the state examiner. The state examiner shall be ex officio a notary public for the state at large.

The state examiner may obtain on a contractual or fee basis of the services which his office is unable to supply and which are necessary for his compliance with the provisions of this Section.

(3) Duties. The state examiner shall:
(a) Assist the various boards in an advisory capacity in the discharge of their duties.
(b) Prepare and submit a classification plan to each board for its approval, after consultation with the appointing and departmental authorities of the departmental service for which the plan is prepared and submitted, as provided in paragraph (K).
(c) Prepare and administer tests of fitness for original entrance and promotion to applicants for positions in the respective classified service of the municipalities; score the tests and furnish the results to the board for which the tests are given.
(d) Cooperate with the secretary of each board in maintaining a roster of all fire and police civil service employees in which shall be set forth the name of each employee, the class to which he belongs, and his compensation, any change in class title, and any other necessary data.
(e) Act as secretary of any said board requesting such service.
(f) Assist and cooperate in an advisory manner with the various appointing authorities, department officers, and the classified employees, of the municipalities regarding the duties and obligations imposed upon them by the provisions of this act.
(g) Encourage employee training in the classified service and, when possible, attend the training courses or parts thereof.
(h) Make annual or biennial reports regarding the work of his office to the governor.
(i) The state examiner may delegate to the deputy state examiner such of the above duties as he may deem expedient.

(H) Appropriations; Facilities for Board. The legislature shall make adequate annual appropriations to enable the state examiner and deputy state examiner to carry out effectively the duties imposed upon them by this Section. The governing body of the municipality shall make adequate annual appropriations to enable the board of the municipality to carry out effectively the duties imposed upon the board and shall furnish the board with office space, furnishings, equipment, and supplies and materials necessary for its operation.

(1) Classified and Unclassified Service
(i) Classified Service. The classified service shall comprise every position, except those included in the unclassified service, to which the right of employee selection, appointment, supervision, and discharge is vested in the municipal government or with an officer or employee thereof, and which has as its primary duty and responsibility one of the following:

(a) Fire Fighting.
(b) Fire Prevention; Inspection.
(c) Driving, Tilling, and Operation of Fire Apparatus.
(d) Operation and Maintenance of Radio, Fire Alarm, or Signal System.
(e) Fire Department Instructors in Employee Training.
(f) Fire Salvage and Overtaking Services, and First Aid.
(g) Automotive or Fire Apparatus Repairs, if such service is operated exclusively by and for either or both the fire or police department.
(h) Secretary to the Chief, Departmental Records Clerk.

(ii) Unclassified Service. Any officer, employees, and positions of employment in the municipal government, not having as a principal duty all the duties hereinbefore provided in the classified service.

(iii) Officers Elected by Popular Vote and Persons Appointed to Fill Vacancies in Elective Offices.

(iv) Secretaries, Stenographers, and Other Clerical Positions Not Specified In Section. Any regular and permanent employee who left a position of the departmental service, which now comes within the classified service, subsequent to May 1, 1940, and entered the armed forces of the United States shall be restored to his position and, thereafter, be entitled to the rights and jurisdiction of the classified service created by this Section if he makes application therefor to the appointing authority within sixty days from the date of his honorable discharge or discharge under honorable conditions, and is physically and mentally capable of performing the work of his position to the satisfaction of the appointing authority.

(K) Classification Plan; Allocation; Use

(i) Classification Plan. Each board, as soon as practicable, is to adopt a classification plan for the fire and police services of the municipality. A classification plan shall consist of classes to be designated either by standard titles, ranks, or a combination thereof. For all positions included in the classified service for each of the fire and police services, the classification plan may be divided into groups of classes. The various classes of positions shall be arranged in each classification plan so as to show the principal and natural duties, compensation and demotion. The classification plan shall be adopted as rules of the board, in the manner provided by this Section for the adoption of rules. Rules creating the classification plan, future classifications, abolition of any classification, any amendment thereto, or revision thereof, shall be adopted by official vote of the appointing authority, and the state examiner. The original classification plan to be established when this Section takes effect in a municipality shall be prepared, after consultation with the appointing authority, and submitted to the board for its approval and adoption, by the state examiner. The board may amend or revise the classification plans before adopting them. The state examiner shall advise and assist the board in all future classifications when requested to do so.

(ii) Classification of Positions. The board, or chairman thereof, subject to the subsequent approval of the board, as soon as practicable (not exceeding forty-five days) after the adoption of a classification plan, after consultation with the appointing authorities and concerned, shall allocate positions in the classified service to its appropriate class; and thereafter shall likewise allocate each new position created in the service, and, when for the benefit of the service, re-allocate positions from class to class.

Whenever the duties of a position are so changed by the appointing authority that the position in effect becomes one of a different class from that to which it is allocated, the change shall operate to abolish the position and to create a new position of the different class.

When the board finds any change in the duties of any position in the classified service was brought about by the appointing authority to effect a reduction in the classifica-
tion of any employee because of political, religious, or discrimina
tory reasons, or without just cause, it shall refuse to recognize any such action, and shall order the appointing authority to continue the employee in the position and class with all privileges.

(3) Use of Class Titles. The title of each class shall be the official title of every position allocated to the class, for all purposes having to do with the position as such, and shall be used to the exclusion of all other titles on all payroll and the record thereof, and official records and reports pertaining to the position, except that any abbreviation or code symbol by the board may be used to designate a position of a class. Any other title satisfactory to the appointing authority may be used in official correspondence and in any other form not having to do with the personnel processes covered by this Section. No employee shall be appointed, employed, or paid under any title other than that of the class to which the position occupied by him is allocated.

(4) Status of Incumbent. Every person employed in the municipal fire and police services for a continuous period of at least six calendar months immediately preceding the date that this Section takes effect in the municipality, who was regularly and permanently appointed to a position coming under the classified service, shall be included in the classified service and bound under the classified service, the provisions of this Section, and the rules adopted thereunder.

When any position is first allocated hereunder, or is reallocated to a different class to correct an error in its previous allocation, or because of a change in the duties and privileges, which has the effect of abolishing the position and creating a new position of another class, the employee and the position may continue to serve therein, with the status and all the rights and privileges he would have had under this Section if he had been originally appointed to the new position by examination and certification hereunder, to a position of the class to which the position has been allocated or reallocated. Such employee, however, may be transferred without further examination or certification to any position of the class to which the position was previously allocated while held by the employee.

Any employee who feels himself aggrieved because of any allocation or change in classification affecting his position shall, upon his request be heard thereon by the board; and the board shall hear and decide the complaint in any manner deemed proper.

(1) Vacancies; Methods of Filling. Vacancies in positions in the classified service shall be filled by one of the following methods:

(1) Demotion
(2) Transfer
(3) Reemployment
(4) Promotional appointment
(5) Reemployment
(6) Reemployment
(7) Temporary appointment.

A vacancy shall be considered filled under any of the methods specified above, and employment thereafter effective, as of the date on which the employee enters upon the duties therein.

(2) Demotion. Demotions of regular employees shall be made by the appointing authority when it becomes necessary to reduce the number of employees in the classified service of another class therein. Demotions from any class, except for disciplinary action or because of the abolition of an entire class in the classified service, shall be made by demoting employees from lowest to highest in point of total seniority earned in positions of the class plus, in the case of any higher classifications in the classified service, the names of regular employees demoted for any reason, except for disciplinary action, shall be recorded upon the reinstatement list for the class from which they are demoted in the order in which the demotions are made.

(3) Transfer. Regular employees may be transferred from any position in the classified service to any other position of the same class within the classified service, at the pleasure of the appointing authority without notice to and confirmation by the board.

Any regular employee so transferred shall have the right of appeal to his board upon the grounds (1) that his transfer was made to a position not included within the class to which he has been previously allocated, (2) that the position to which he has been transferred is not included within the classified service, or (3) the transfer was made deliberately to discriminate against him.

(4) Reemployment. Any person whose name appears upon the reinstatement list for a prospective class shall be reemployed in a position thereto, in the reverse order from which the names were placed upon the list, before any other appointment is made therein.

(5) Reemployment list. Any regular employee who resigns from a position in the classified service may, with the prior approval of the board, be reemployed in a position of the class in or in a position of any lower class for which he is qualified, provided, that the reemployment is made within four years of the date of resignation, and that his name appears upon either the reinstatement, employment, or reemployment list for a class in which any such person is reemployed or is willing to accept an appointment therein. Such employee shall be physically fit to perform the duties of the position to which he is appointed. He shall furnish a favorable medical certificate to the appointing authority and the board after a recent examination by a practicing physician.

(6) Layoffs. Employees in the Department and Maintenance.

The board shall establish and maintain employment lists containing names of persons eligible for appointment to the various classes of positions in the classified service, as certified by the examining board.

(1) Names of regular employees who are demoted from any class for a reason other than disciplinary action shall be placed upon the reinstatement list for the class from which they were demoted in the order in which the demotions were made.

(2) Only the names of regular employees who have been laid off in accordance with provision of paragraph (U) shall be eligible for entry upon the reemployment list. The names of such persons shall be entered upon the employment list for the class from which they were laid off in the employment list after layoffs were made.

(3) A name placed upon either the reinstatement or the reemployment list shall remain thereon for a period of four years. The board, however, may remove the name of any person who refuses an offer of employment following a certification from either list.

(4) Names of persons attaining a passing score on a competitive test shall be placed upon the competitive employment list for the class for which they were tested, from those in lowest to highest according to their total seniority in the departmental service. The names of persons attaining a passing score on a competitive test shall be placed upon the competitive employment list for the class for which they were tested, from highest to lowest, according to their total seniority in the departmental service.

(5) Any person whose name is placed upon the competitive employment list for the entrance or lowest-ranking class in the classified service who has served in the armed forces of the United States of America during the times of declared war, or has been honorably discharged under honorable conditions, shall have added to his final test score a total of five points at the time of placing his name upon the list. Proof of such service and discharge shall be required by the board in any manner it deems advisable.

(6) The minimum and maximum period for which a name may remain upon a promotional and competitive employment list shall be twelve and eighteen months, respectively, for each list.

(7) The employment list for which eligibles are obtained
from the results of tests given for that purpose shall be reestablished in the manner further provided in this Section.

(8) When new names are to be placed upon a promotion list for a given class, the remaining names thereon shall be rearranged with the new names so that all names appearing upon the list for the class shall rank, from highest to lowest, according to total seniority in the departmental service. When new names are to be placed upon a competitive list for a given class, the remaining names thereon shall be rearranged with the new names so that all names appearing upon the list for the class shall rank, from highest to lowest, according to their final test scores.

(Q) Testing Procedure

(Q) (1) Tests; Eligibility Determination. The board shall provide through the state examiner for tests to determine the eligibility of applicants for entry upon the promotional and competitive employment lists, as follows:

(a) Official notice of examination shall be posted on the bulletin board in each station of the respective department. The notice shall state (1) class of positions for which tests will be given, (2) whether the tests will be given on a promotional or competitive basis, and (3) the final date on which applications for admission to the tests will be received. The notice shall be posted for a continuous period of thirty days preceding the date for administering the tests. In addition to the posted notice, public notice of tests to be given on a competitive basis shall be published at least four times during the thirty-day period in the official journal of the municipality in which such tests are to be held. This notice of examination need not reveal the exact date on which tests shall be administered, but all applicants shall be advised of the date, place, and time to report for an announced test at least five days in advance thereof in any manner the board may prescribe. Each person comprising a group of candidates being tested at a given time for the same class shall be given the same test, and it shall be administered in the same manner to each candidate. No questions shall be framed so as to elicit information concerning the political, factional, or religious opinions or affiliations of any applicant.

(b) All tests shall be restricted to those matters which will fairly test the relative capacity and fitness of the candidates to discharge the duties characteristic of positions of the class to which they seek to be appointed. Tests may include written or oral questions, trials on the performance of actual duties, or examination into facts relating to education, experience, or accomplishments in specialized lines of endeavor, or any combination of these and other elements duly related to the purpose of the tests.

(c) Seventy-five percent shall constitute a passing score for all tests administered under the provisions of this Section.

(d) Promotional tests for positions in the various classes in the classified service, except those classes in which positions shall be filled only from the competitive list, may be held as the needs of the service require, but must be given at least one time during each successive period of eighteen months.

(e) Competitive tests shall be held only as the needs of the service require and shall be given for classes comprising only the following duties or positions:

(i) The entrance or lowest-ranking class in the classified service.

(ii) The entrance or lowest-ranking class in the classified service.

(iii) The entrance or lowest-ranking class in any group of classes where the various classes have been divided into groups by the examination plan.

(iv) Operation, maintenance, and supervision of radio, fire alarm, police alarm, and other signal systems.

(v) Automotive or fire apparatus mechanics and repairmen.

(vi) Secretary to the chief.

(vii) Departmental records clerk.

(viii) For a position in any class in the classified service after a reasonable effort by preceding methods provided by this Section have failed to produce names of persons eligible for regular appointment thereto.

(f) All tests required by this Section shall be prepared, administered, and scored by the state examiner in accordance with the provisions of this Section. The results of these tests shall be furnished to the board in such a manner that they have been held as soon as practicable after the tests have been administered. All test questions, answers, and papers shall at all times be kept in the custody of the state examiner, and shall be produced by him and exhibited to any member of the board at the domicile of any board upon its written request.

(g) The board for which any test is administered may, at any time, up to six months after receiving the results from the state examiner, receive and review any or all parts of the test and the methods used in its grading, in order to determine whether the test was a fair and reasonable one and was fairly graded. If, after the board reviews any test and consults with the state examiner, it concludes that any item or parts of the test were unvalid or unreliable or are not errors in the grading, it may, at its discretion, cause a regrading of the test, and, thereupon, correct or establish the appropriate employment list in accordance with the revised ratings. If the board finds that a fair rating can be determined only from an entire new test, it may cause a new test to be given to all persons taking the previous test and, establish a new employment list for the class from the results of such new test.

(h) Each applicant who makes a passing score on a test administered under the provisions of this Section shall be notified in writing that he has passed the test administered by the board in the class tested in, shall receive his final score, and shall be placed on the competitive list for the class for which he was tested.

(2) Admission to Tests. Admission to tests shall be as follows:

(a) Admission to a promotional test shall be limited to regular employees of the class next lower from that for which they are to be examined. However, the rules may provide for admission to be extended to applicants from any one or more of the next lower classes.

(b) Admission to competitive tests shall be open to all persons who meet the requirements provided by this Section and the rules.

(c) Any applicant admitted to a test shall be a citizen of the United States of America, and, if of legal age, shall be a qualified elector of the State of Louisiana.

(d) Special requirements or qualifications for admission to tests, or for eligibility for appointment, such as age, education, physical requirements, etc., may be established by the rules adopted by the board, after consultation with the appointing authority, provided the requirements are not inconsistent with the time of his appointment to a position in the classified service, of good health, good moral character, and of temperate and industrious habits.

(e) The board may reject the application of any person for admission to tests on grounds of fitness, or refuse any applicant to be tested, or may cancel the eligibility of any eligible on any employment list, who which may be legally prescribed, as requirements for admission to the tests for the class for which he has applied:

(i) Is found to lack any of the qualifications prescribed, or which may be legally prescribed, as requirements for admission to the tests for the class for which he has applied;

(ii) Is physically unfit to perform effectively the duties of a position of the class;

(iii) Is addicted to the habitual use of drugs or intoxicating agents;

(iv) Has been adjudged guilty of a crime involving moral turpitude or infamous or notoriously disgraceful conduct;

(v) Has been dismissed from the respective service for dereliction or misconduct;

(vi) Has made a false statement of any material fact; or

(vii) Has practiced, or attempted to practice, deception or fraud in securing eligibility for appointment or attempting to do so.

Any such facts shall also be considered cause for removal of any employee. The board shall reject any application filed by any applicant on a temporary basis, shall be tested

(3) Working Tests. Every person appointed to a position in the classified service following the certification of his name from a promotional or a competitive employment list, except these appointed on a temporary basis, shall be tested after a reasonable time to test the merits of applications as announced in the public notice of the tests.
The period of the working test shall commence immediately upon appointment and shall continue for a period of not less than six months nor more than one year. Any employee who has served at least three but less than six months of his working test for any given position may be removed therefrom, either on the ground of approval of the board, and only upon the grounds that (1) he is unable or unwilling to perform satisfactorily the duties of the position to which he has been appointed or (2) his habits and dependability do not warrant his continuance therein. Any such employee may appear before the board and present his case before he is removed.

Upon any employee completing his working test, the appointing authority shall cause the board to furnish an appointed statement to the respective employee of its confirmation and acceptance of the employee as a regular and permanent employee in the respective position, or, of its refusal to confirm the employee and the reasons therefor. If, at the expiration of an employee's working test period, the board refuses to confirm the employee, such failure to act shall constitute a confirmation. Any employee who is rejected after serving a working test of six months but not more than one year, may appeal to the board only upon the ground that he was not given a fair opportunity to prove his ability in the position.

The appointing authority may remove, and shall remove upon the order of the board, any employee during his working test period who the board finds, after giving him notice and opportunity to be heard, to be imbecile or appointed as a result of an error, misrepresentation, or fraud.

In any event where any employee is permitted under this Section to appeal to the board, the decision of the board shall be subject to the judicial review provided by this Section and the appointing authority and employee shall be governed accordingly.

(R) Certification; Appointment

(R) (1) Certification and Appointment. (a) Whenever the appointing authority proposes to fill a vacancy in the clerical class, except by promotion, transfer, or by substitute employment not to exceed thirty days, he shall request the board to certify names of persons eligible for appointment to the vacant position. If the board shall thereupon certify in writing the names of eligible persons, the board shall upon the appointment in the order provided by paragraph (P) before the vacancy is filled by any subsequent method provided by this Subsection. The appointing authority shall appoint to the vacant position the first person so certified to him who is willing to accept the appointment. If the position is one of a class from which layoffs have been made as provided by paragraph (U) the names of eligible persons appearing on the reemployment list for the class shall be certified and offered the appointment in the order provided by paragraph (P) before any other appointment is made thereto.

(b) In the event a vacancy cannot be filled by reinstatement, or by reemployment as above provided, the board shall appoint from the names of persons upon the promotional list, in the order in which they appear therein, for the class in which the vacancy is to be filled. The appointment authority shall select and appoint to the first vacancy to be filled the one person certified to him who has the greatest seniority in the departmental service. Any remaining positions to be filled in the same class shall be filled by appointing to each such successive vacancy the one of the remaining persons certified therefor who has the next highest seniority in the departmental service. If any one or more of the employees so appointed by the appointment authority shall then select and appoint one of the persons certified by the board with the next highest seniority in the departmental service. This procedure shall be followed until the position has been filled by appointment of the one person who has the greatest seniority in the departmental service, and who is willing to accept the appointment, or until not less than six months have elapsed from the date that his name appeared upon the list, has in this order been certified and offered the appointment for the vacancy.

(d) Certification and appointment from the competitive list shall be limited to those candidates for which the competitive test may be given in accordance with paragraph (Q). Upon the appointing authority's request for the certification of eligible persons from which he may fill a vacancy, and if the competitive list is the appointment list, and if from the competitive list he shall be certified, the board shall certify the names of the persons upon that list, in the order in which they appear thereon, for the class in which the vacancy is to be filled. The appointing authority shall select and appoint to the first vacancy to be filled, the one person certified to him for the vacancy. If any one or more persons so certified should refuse the appointment, the appointment authority shall then select and appoint any one of the remaining persons certified by the board. The procedure shall be followed until the position has been filled by appointment of one of the persons certified from the list and willing to accept the appointment, or until each person whose name appears upon the list has in this manner been certified for the vacancy.

(e) Appointment to any position in the classified service from which the regular employee is away on an authorized leave of absence shall be made in accordance with the provisions of this Subsection.

(f) The appointing authority shall notify the board of the filling of a vacancy as provided in paragraph (Y).

(2) Temporary Appointments. Temporary appointments may be made to positions in the classified service without the designated appointees acquiring any permanent status therein, as follows:

(a) (i) When a vacancy is to be filled in a position of a class for which the board is unable to certify names of persons eligible for regular and permanent, or substitute appointment, the appointing authority may appoint to a provisional appointment of any person whome he deems qualified. When practicable, the appointment should be made by the provisional promotion of any employee of a lower class. A provisional appointment shall not continue for more than one year.

(b) Notwithstanding the provisions of this Subsection for the regular filling of the vacancy, in any manner authorized under this Section, and, in any event, within fifteen days after a certification from which a regular, or substitute appointment, as the case may be, can be made under the provisions of this Section. A provisional appointment shall be reported to the board within fifteen days following the appointment.

(iii) During the times of war, and after the board continues to offer tests provided by this Section in an effort to obtain persons eligible for regular and permanent appointment to a position of any class which has been permanently vacated by the regular employee thereof, and it finds it impossible to establish a list of persons qualified for certification and appointment to a vacancy. Any provisional appointment not formalized within the time limit specified for the regular filling of the vacancy in any manner authorized under this Section, and, in any event, within fifteen days after a certification from which a regular, or substitute appointment, as the case may be, can be made under the provisions of this Section. A provisional appointment shall be reported to the board within fifteen days following the appointment.

(ii) Provisional appointments may be made in any position in the classified service (1) from which the regular and permanent positions have been filled by an authorized leave of absence, or (2) from which the regular employee is substituted for some other regular employee who is authorized to be away from his respective position. No position shall be filled.
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by a substitute appointee for a time beyond that for which the regular and permanent incumbent is away on an authorized leave. Whenever such appointment shall continue for not more than thirty days, the appointing authority may appoint thereto any one whom he deems qualified. Substitute appointments made for a period exceeding thirty days shall be made in the same manner as provided in paragraph (R) for the filling of a vacancy by a regular and permanent appointee. If the appointing authority deems it necessary, he shall, for the duration of the temporary employment, enjoy the class title and be entitled to receive the rate of pay for the class and position in which he is employed. The appointing authority shall notify the board within fifteen days following any substitute appointment made for a period to exceed thirty days, the name of the appointee, the class of position filled, the period for which the appointment was made and attach to the notification a signed copy of the leave of absence granted the employee for whom the appointing authority is substituting.

(c) Emergency appointments of any person may be made at any time the need of the service requires because of any local emergency of a temporary and special nature. No such appointment shall be effective or continued for more than ten days.

(S) Leave of Absence. The board shall adopt rules for the leave of absence in the various classes of the classified service. Such rules shall provide for annual vacation leave of not less than thirty days for any employee and not more than thirty days for any substitute employee. No employee who has not been provided with a leave of absence shall be dismissed without pay. They may provide for special extended leaves with or without pay or with reduced pay for employees disabled through injury or illness arising out of their employment. The right to regulate the time at which any employee is authorized to take leave of absence for any of the reasons specified shall not be beyond the control of the employee, shall be vested at all times with the appointing authority.

(T) Abolition of Positions. Whenever the appointing authority abandons a position in the classified service and there is a position vacant in the respective class to which the regular employee of the abolished position may be transferred, the employee shall be transferred to any position of the same class which may be held by a provisional employee. If there is no such position he shall be transferred to another position in the respective class, and the holder of that position shall thereupon be demoted in the order provided by paragraph (M).

(U) Layoffs. If, for any reason, the lowest class in the classified service or the lowest class in a respective group of classes, as grouped by the classification plan, should become overburdened with the number of persons holding positions therein, and a reduction of personnel becomes necessary, the reduction shall be made only by laying off persons in order of removal shall be made from the class, the position held, and the order in which each person was removed.

(V) Corrective and Disciplinary Action

(V) (1) The tenure of persons who have been regularly and permanently inducted into positions of the classified service and are in the possession thereof, but who are not employees of the appointing authority may remove any employee from the service, or take such disciplinary action as the circumstances warrant in the manner provided below for any one of the following reasons:

(a) Theft, dishonesty, or failure to perform the duties of his position in a satisfactory manner.
(b) The deliberate omission of any act that it was his duty to perform.
(c) The commission or omission of any act to the prejudice of the governmental service or contrary to the public interest or policy.
(d) Insubordination.
(e) Conduct of a discourteous or wantonly offensive nature toward the public; any municipal officer or employee; and, any dishonest, disgraceful, or immoral conduct.
(f) Drinking vinous or spirituous liquors while on duty or reporting for duty while under the influence of liquor.
(g) The use of intoxicating liquors, or habit-forming drugs, liquid, or preparation to an extent which precludes the employee from performing the duties of his position in a safe or satisfactory manner.
(h) The conviction of a felony.
(i) False statements or material facts in the application for admission to any test for securing eligibility to appointment to any position in the classified service, or, practicing or attempting to practice fraud or deception in any test.
(j) Using or promising to use his influence or official authority to secure any appointment to a position within the classified service as a reward or return for partisan or political services.
(k) Soliciting or receiving any money or valuable thing from any person for any political party or political purpose.
(l) Inducing or attempting to induce by means of coercion, any person holding a position in the classified service to resign his position, take a leave of absence from his duties, or waive any of his rights under the provisions of this Section, or any other rule.

(m) The development of any defect of physical condition which precludes the employee from properly performing the duties of his position, or the development of any physical condition that may endanger the health or lives of fellow employees.

(n) The willful violation of any provision of this Section or of any rule, regulation, or order hereunder.

(o) Any other act or failure to act which the board deems sufficient to show the offender to be an unsuitable or unfit person to continue in the classified service.

(2) Unless the cause or condition justifies an employee's being permanently removed from the service, disciplinary action may extend to suspension without pay for a period not exceeding the aggregate of ninety days in any period of three years for any one violation of these rules, excepting for the prevailing for the next lower class, reduction or demotion to a position of any lower class, and to the rate of pay prevailing thereon, or such other less drastic action that may be appropriate, and shall be sufficient to prevent any employee who is physically unable to perform the duties of his position from exercising his rights of voluntary retirement under any applicable law.

(3) Although it is incumbent upon the appointing authority to initiate corrective or disciplinary action, the board may, and shall upon the written request of any qualified elector of the state which sets out the reasons therefor, make an investigation of the conduct and performance of any employee in the classified service and, thereupon may order the appointing authority to provide the board a statement in writing of the action and the complete reasons therefor.

(4) In every case of corrective or disciplinary action taken against a regular employee of the classified service, the appointing authority shall on request by the employee or the employee's attorney, give the employee a hearing and afford him thirty days after receipt of the written request.

All such hearings and investigation conducted by the board pursuant to the provisions of this Section shall be opened to the public. No hearing and investigation shall be held on the day on which the appointing authority have been advised at least ten days in advance of the date, time, and place thereof. If either the appointing authority or the employee fails to appear at the place, and on the day and at the hour fixed for the hearing, the board may adjourn the issue involved on the basis of the evidence adduced and confined to the question of whether the action taken against the employee was made in good faith for cause set forth in the provisions of this Section. Both the employee and the appointing authority shall be afforded an opportunity to appear before the hearing officer, to present evidence with counsel, and present evidence to show that the action was or was not taken in good faith for cause as set forth in the provisions of this Section. The board shall have complete charge of any such hearing and investigation, and may
conduct it in any manner it deems advisable, without prejudice to any person or party thereto. The procedure followed shall be informal and not necessarily bound by the legalistic rules of evidence. The board shall not be required to have the testimony taken and transcribed, but either the employee or the appointing authority may, at their own expense and at the necessay expense and at the direction of the board, in such cases the board may name any competent shorthand reporter as the official reporter. If the testimony is not taken or transcribed, then the board shall make a written finding of the facts; which investigation the board, if the evidence is conclusive, affirm the action of the appointing authority. If they find that the action was not taken in good faith for cause under the provisions of this Section, the board shall order the immediate reinstatement or reemployment of such person in the office, place, position, or employment from which he was removed, suspended, demoted or discharged, which reinstatement shall, if the board so provides, be retroactive and entitle him to his regular pay from the time of the removal, demotion, discharge, or other disciplinary action. The board may modify the order of removal, suspension, demotion, discharge, or other disciplinary action by directing a suspension without pay, for a given period. The decision of the board, together with its written findings of fact, if the board is so directed, in writing, to the appointing authority and shall be final and enforced by the appointing authority.

Any employee under classified service and any appointing authority may appeal from any decision of the board, or from any action taken by the board, which is prejudicial to the employee or appointing authority. This appeal shall be taken by serving the board, within thirty days after entry of its decision, a written notice of appeal, stating the grounds thereof and demurring to the right of the employee. The order of the record and the findings of fact, and all papers and orders on file in the office of the board affecting or relating to such decision, be filed within fourteen days after the day of its delivery of the notice of appeal, be made, or the complete transcript, with the designated court, and that court shall thereupon proceed to hear and determine the appeal in a summary manner. This hearing shall be confined to the determination of whether the decision made by the board is contrary to the provisions of this Section. No appeal to the court shall be taken except upon these grounds.

(X) Board Powers; Refusal to Testify. The board, and each of its members, shall have the same power and authority to administer oaths, subpoena witnesses, and compel the production of books and papers pertinent to any investigation or hearing authorized by this Section as is possessed by the district courts of Louisiana. Any person who (1) fails to appear in response to a subpoena, (2) fails to answer any question, except those which may incriminate him, (3) fails to produce any books or papers pertinent to any investigation or hearing, or (4) knowingly gives false testimony therein shall be subject to the penal sections of this Section. In case of contumacy or refusal to obey a subpoena, or refusal to submit to any person, the district court within the jurisdiction of which the investigation in being carried on, or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found, or resides, or transacts business, upon application of the board, shall have the requisite jurisdiction to issue to the person an order requiring him to appear before the board, its member or agent, and to produce the required evidence or give testimony touching the matter under consideration or in question. Any person failing to obey such order may be punished by the board.

Any officer or employee in the classified service who willfully refuses or fails to appear before any court, officer, board, body or person properly authorized to conduct any hearing or inquiry, or any officer or employee, who, having appeared, refuses to testify or answer any relevant question relating to the affairs of government of the municipality or the conduct of any municipal officer or employee, except upon the ground that his testimony or answers would incriminate him, shall, in addition to any other penalty to which he may be subject, forfeit his position, and shall not be eligible for appointment to any position in the classified service for a period of six years.

(Y) Municipal Officers and Employees; Duties. The appointing authority shall report to the board on or before the sixteenth day following any appointment or employment in a position in the classified service, unless otherwise provided, the name of the appointee, the title and character of his office or employment and the date the employee commenced to serve in the position. The board shall also report the date of and official action in, or knowledge of, any separation, promotion, demotion, suspension, layoff, reinstatement, or reemployment in the classified service.

(Z) (1) Political Activities Prohibited. (a) Political activities by and extending to employees of the classified service are hereby prohibited as follows:

(i) No person shall seek or attempt to use any political position or influence in seeking or securing any appointment or advancement in employment, or any appointment or advancement in appointment to any position in the classified service.

(ii) No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated to secure or attempt to secure for any person an appointment or advantage in appointment to a position in the classified service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any consideration.

(iii) No employee in the classified service shall, directly or indirectly, solicit money or promise to use, pay, any assessment, subscription, or contribution for any political organization or purpose, or solicit or take part in soliciting any such assessment, subscription, or contribution. No person shall solicit any such assessment, subscription, or contribution of any classified employee. Service or any part of the provisions of this Subsection shall not be construed as applying to membership dues paid, or contributions made, to nonpolitical employee organizations, pension funds, civic enterprises, the Louisiana Civil Service League, or any similar nonpolitical organization or corporation.

(iv) No employee in the classified service shall (a) be a member of any national, state, or local committee of a political party, (b) be an officer or member of a committee of any factional, political club or organization, (c) be a member or candidate for nomination or election to public office, (d) make any political speech or public statement in behalf of any candidate seeking to be elected to public office, or (e) take any part in the management or affairs of any political party or in the political campaign of any candidate for public office, except to privately express his opinion and to cast his vote.

(v) No person elected to public office shall, while serving in the elected office, be appointed to or hold any position in the classified service.

(vi) No appointing authority, or agent or deputy thereof, shall directly or indirectly promise, offer, or threaten to pay, suspend, discharge, or otherwise discriminate against, or discriminate against, or threaten to discharge, any person in the classified service for the purpose of influencing his vote, support, or other political activity in any election or primary election. No appointing authority, or agent, or deputy thereof, shall use his official authority or influence, by threats, promises or other means, directly or indirectly, to coerce the political action of any employee in the classified service.

(b) The appointing authority shall discharge from the service any employee whom he deems guilty of violating, any one or more provisions of this Section. The board, upon its own initiative, or upon a complaint filed with the board, shall investigate the matter; and, if the board determines, after an investigation, that the employee is guilty of violating any one or more provisions of this Section, the board shall order the appointing authority forthwith to discharge the guilty employee from the service, and the appointing authority shall forthwith discharge the employee.

(c) Whoever violates this Section shall be subject to the penalties provided in paragraph (A-2). In addition any employee in the classified service who is discharged because of violating a foregoing provision shall not again

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COMMITTEE REPORT WITH RESPECT TO COMMITTEE
PROPOSAL No. 11—
Article VII, Section 1, Retirement and Survivors’ Benefits
Section 1. (A) Retirement System; Public School Employees. The legislature shall provide for the retirement of all other employees of the public schools through the establishment of a retirement system for public school employees. Membership in such retirement system or systems shall be a contractual relationship, the accrued benefits of which shall not be diminished nor impaired by the state or any political subdivision thereof. Any such benefits payable to a member of the system or to his lawful beneficiary at his death or retirement.
Comment: Revises the present constitutional provision by deleting: (1) the kind of retirement fund that shall be covered by the retirement fund. That provision requires the legislature to provide for a retirement fund for teachers, employees engaged in transporting students to and from schools, and those engaged as janitors, custodians, and maintenance employees.
There proposed provision requires the legislature to provide a retirement fund for teachers and other employees of public schools. It requires that the rights of each person the contributions made by the member and by the employer be maintained.
Declares that membership in such system or systems is a contractual relationship for which accrued benefits shall not be diminished nor impaired and that the state shall guarantee any benefits payable to a member of the system or to his lawful beneficiary at death or retirement.
(B) Retirement System; State Officers and Employees. The legislature shall provide for the retirement of officers and employees of the State and of political subdivisions, including persons employed jointly by state and federal agencies other than the military service, through the establishment of a retirement system or systems. Membership in any retirement system or systems of the state (or of a political subdivision thereof) shall be a contractual relationship, the accrued benefits of which shall not be diminished nor impaired.
Comment: Combines the source provisions. Deletes the enumeration of specific boards, commissions, and corporation and political subdivision, municipality, or parish referred to in the source provisions.
Deletes the second unnumbered paragraph from Section 9.
The proposed provision requires the legislature to provide a system or systems for the retirement of officers and employees of the state or its political corporations and political subdivisions, including persons employed jointly by state and federal agencies other than the military service.
Declares that membership in such system or systems is a contractual relationship for which the accrued benefits shall not be diminished nor impaired.
(C) Financial Security for Surviving Spouses and Children of Law Enforcement Officers in Certain Cases. (1) It is hereby declared to be the public policy of this state, under its police power, to provide for the financial security of surviving spouses and dependent children of law enforcement officers where such officers’ sudden death as a result of injury sustained in the course of the performance of official duties or ensuing from any activity while on or off duty engaged in the protection of life or property.
(2) Law enforcement officers, within the meaning of this Section, shall include: all sheriffs and deputy sheriffs in the state employed on a full-time basis; all members of the state police thus employed; those municipal police officers to whom state compensation is or may be paid as provided by law; all enforcement personnel of the Louisiana Wildlife and Fisheries Commission; capital security police; guards at state hospitals and penal institutions; nurses engaged in the care of state-owned colleges and universities; guards at state penal institutions; enforcement personnel of dock boards and levee boards; and other state employees whose primary responsibility is the full-time protection of state property.
Provided, however, that honorary law enforcement officers, all state probation and parole officers, including juvenile probation and parole officers shall not be construed or interpreted to be such law enforcement officers within the purview of this act.
(3) In any case in which a law enforcement officer, as
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Defined by this Section, suffers death, under the conditions described in Paragraph (A), the legislature shall appropriate the sum of ten thousand dollars, which shall be paid to the surviving spouse of such law enforcement officer, and if the said minor children, to be survived by minor children, the legislature shall appropriate the sum of five thousand dollars for each of the said minor children, which sum shall be paid to the duly appointed and qualified tutor or other legal representative of said child.

(4) No such payment shall be made until a judgment of a court of competent jurisdiction has become final and such judgment has decreed that the law enforcement officer did suffer death as a result of the conditions described in Paragraph (A) above.

(5) Suit shall be instituted by the attorney general against the legislative auditor in the district court of the parish in which the state capitol is situated in any case where it appears that such a law enforcement officer has suffered death in the circumstances provided by this Section and jurisdiction over such suit is hereby conferred on said court. Any judgment rendered by such court shall be subject to appeal in all civil matters.

(6) Suits may be instituted under the laws applicable to declaratory judgments and any such suit shall be regarded as presenting a justiciable controversy between the attorney general and the legislative auditor.

(7) This Section shall be self-operative and no further or additional legislation shall be required to place the provisions hereof in effect.


Comment: The present provision allows survivors’ benefits only where death occurs from physical violence while engaged in direct apprehension of a person during the performance of duty.

The revision authorizes payment of benefits to widows and children of law enforcement officers where death results from injury sustained in the course of the performance of official duties or activities, while on or off duty, undertaken in the protection of life or property.

Expands definition of law enforcement officers to include guards at the State Capitol, guards at state-owned hospitals, and security guards on the campuses of state-owned colleges and universities, enforcement personnel of dock boards and levee boards, and other state employees whose responsibility is the full-time protection of state property. It retains the proviso that honorary law enforcement officers, all state probation and parole officers shall not be construed or interpreted to be such law enforcement officers, including juvenile probation and parole officers for programs within the purview of this Act.

Retains provision requiring the legislature to appropriate ten thousand dollars which shall be paid to the surviving widow and five thousand dollars to each surviving minor child of a law enforcement officer. The benefits described are allowed only where death is suffered by a law enforcement officer as defined and under the conditions described in this provision.

Retains provision withholding payment until a court of competent jurisdiction issues a final judgment and decrees that the law enforcement officer as defined suffered death under the conditions described herein.

Retains provisions determining the legal procedure without substantive change.

Retains provisions relating to the self-operative nature of this provision.

(D) Retirement Systems; Notice of Intention to Propose Amendments or Change; Publication. No proposal to amend or change any provision of this Act relating to any retirement system in this state shall be introduced into the legislature unless notice of intention to introduce such proposal shall have been published, without cost to the state, in the official state newspaper at least thirty days prior to the first day of the legislative session in regular session. This notice shall state the substance of the contemplated law or proposal to amend the constitution. Evidence of publication of the notice shall be exhibited in the legislature before the bill is passed, and every such bill shall contain a recital that the notice has been given.


Comment: Continues the existing provision vesting the taxing authority in the legislature and imposed the tax only for public purposes. Remainder of the source provision is covered by the property tax provision.

Section 2. Power to Tax; Limitation

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Section 2. The levy of a new tax and any increase in an existing tax and any repeal of an existing exemption from a tax shall require the favorable vote of two-thirds of the members elected to each house of the legislature, as evidenced by a recorded vote. A like vote shall be necessary for the adoption of amendments to bills proposing the taxation of the property of reference committees.

Comment: Requires two-thirds vote on all tax matters

The new provision also requires a two-thirds vote on any repeal of an existing exemption from a tax.

Section 3. The collection of taxes shall not be restrained, and procedures shall be provided for the recovery of illegal taxes paid.

Comment: This provision is substantially the same as Art. X, §18, La. Const. 1921.

Section 4. Limitations on Taxing Power; Graduated Rates, Severance Tax, and Subdivisions of Natural Sources

Section 24. Equal and uniform taxes may be levied upon net incomes, and such taxes may be graduated according to the amount of net income; however, the state individual income tax rate on the first ten thousand dollars of taxable income for single return or twenty thousand dollars of allowable income for joint return shall not exceed two percent.

(B) Taxes may be levied on natural resources severed from the soil or water, to be paid proportionately by the owners or the operators. Natural sources may be classified for the purpose of taxation, and such taxes may be predicated upon either the quantity or value of the products at the time and place of severance. No further or additional tax or license shall be levied or imposed upon severance tax on all other natural resources severed from the soil or water, or motor fuel. Any occupational license taxes levied by a municipality shall not exceed one hundred dollars per year for businessman or three dollars per year for individuals; and the amount of any occupational license tax levied by a parish shall be reduced by the amount of any municipal occupational license tax levied.

(C) Political subdivisions of the state shall not levy taxes on income, natural resources severed from the soil or water, or motor fuel. Any occupational license taxes levied by a municipality shall not exceed one hundred dollars per year for businessman or three dollars per year for individuals; and the amount of any occupational license tax levied by a parish shall be reduced by the amount of any municipal occupational license tax levied.

(D) Three-fourths of the timber severance tax, one-third of the sulphur severance tax, one-fifth of the severance tax on all other natural resources severed from the soil or water, and one-tenth of the royalties from mineral leases on state-owned property shall be remitted to the governing authority of the parish in which severance occurs in which production is had, except, the amount of severance tax on sulphur so remitted shall not exceed one hundred thousand dollars to any parish for any year and the amount of severance tax on all other natural resources severed from the soil or water so remitted shall not exceed two hundred thousand dollars to any parish for any year.

Comment: Provides for limitations on taxes on incomes, severance taxes, and taxing power of political subdivisions. Requires that taxes on incomes be equal, uniform, and graduated as did the 1921 Constitution. The reference to exemptions have been eliminated because "the inherent power of taxation as well as the power to tax, is an essential attribute of sovereignty, and are generally granted only when and to the extent that they may be deemed to be necessary for the current welfare. The power to exempt may be extended or limited, not constitutionally unless the constitution expressly or by implication prohibits action by the legislature on the subject." (See 84 C.J.S. 414-415)
for purposes (1), (2), and (5), enumerated in the immediately preceding paragraph. In this Section, in addition to emergencies listed in (1) and (2), number (3) was added as a result of the probability of occasional natural catastrophes such as floods and hurricanes due to Louisiana's geographical location. Since there is little doubt as to the need for refunding of state debt, it must be included in state constitutions for states to have such authority, to extinguish any doubt (4) was added to authorize refunding of state debt only to obtain lower cost of interest. This state debt may be incurred to make capital improvements only if the nature, location, and if more than one project, the amount allocated to each and the order priority is stated in a comprehensive capital budget which shall be adopted by the legislature. Under this Section the legislature is intended to have authority to incur indebtedness to make capital improvements only if the improvements are included in a comprehensive state capital budget. It is the intention of this Section to force utilization by the state of a long-term capital improvement plan.

All state indebtedness, whether contracted in the name of the state or in the name of a state board, agency, or commission, is hereafter and forever the debt of the State of Louisiana. After the adoption of this constitution, no revenue bonds may be issued by the state or any state board, agency, or commission.

Under Louisiana Constitution of 1921, Art. IV, § 2 and amendments 1965, N 1985, it is, provided, a prohibition against issuance of state debt shall not apply to cities, towns and villages, parishes, school boards or any other local political subdivisions of any kind... (Explanation in parentheses supplied). The prohibition is not intended to alter existing law; this Section applies to all state debt, whether contracted directly or indirectly, and only local political subdivisions are intended to be excluded from prohibition of this Section. Limitation on issuance of debt by the local political subdivisions is provided in this constitution by Art. X, Section .......

It is not intended that this Section abrogate authority granted in this constitution by Art. XI, allowing exceptions to prohibition against issuance of state debt. Under Louisiana Constitution of 1921, Art. IV, § 2, the above quoted exception in conjunction with other constitutional provisions authorizes issuance of bonds supported by the full faith and credit of the state to be issued by the State of New Orleans (Louisiana Constitution of 1921, Art. VI, § 16 et seq.). Omission from this Section of the above quoted exception is intended to alter existing law so that only bonds supported by the full faith and credit of the state may be issued by a city, parish or political subdivision of the state, or any other local political subdivision of the state, in accordance with the provisions of the Louisiana Constitution of 1921, Section 27. (a) During the interim between sessions of the legislature, whenever determined by majority vote of the Interim Emergency Board that an emergency exists, and then only for a purpose for which the legislature may appropriate funds, after having obtained, as provided by law, the written consent of two-thirds of all members elected to the legislative auditor, the chairman of the Senate Finance Committee, and the chairman of the House Appropriations Committee, or their designees.

(b) During the interim between sessions of the legislature, whenever determined by majority vote of the Interim Emergency Board that an emergency exists, and then only for a purpose for which the legislature may appropriate funds, after having obtained, as provided by law, the written consent of two-thirds of all members elected to the legislature, the Interim Emergency Board may appropriate from the State General Fund, or borrow upon the full faith and credit of the state an amount to care for an emergency, which is an event or occurrence not reasonably anticipated by the legislature.

(c) The aggregate of indebtedness outstanding at any one time and the amount appropriated from the State General Fund for the current fiscal year, under the authority of this Section, shall not exceed one-tenth of one percent of total state revenue receipts for the previous fiscal year.

(d) Each fiscal year, as a first priority, there hereby is allocated from the State General Fund an amount sufficient to pay any indebtedness incurred during the preceding fiscal year under the authority of this Section.

Source: La. Const. Art. IV, § 11(g) and 17 (1921).

Comment: Under Section 27 of the Liquidation of the State Debt, created pursuant to Louisiana Constitution of 1921, Art. IV, § 16 (a), is abolished; the Interim Emergency Board is created with powers, duties, and functions different from the Board of Liquidation of the State Debt.

Under this Section if it is intended the Interim Emergency Board is authorized to appropriate from the State General Fund or to borrow upon the full faith and credit of the state only if the following conditions are met: (1) Certification by the board that there exists an emergency, which is an event or occurrence not reasonably anticipated by the legislature; (2) Receipt of written consent by two-thirds of all members elected to each house of the legislature; (3) The emergency shall be for a purpose for which the legislature may appropriate funds; (4) The total amount of indebtedness outstanding at any time, and the amount appropriated from the State General Fund for the current fiscal year, under the authority of this Section shall not exceed one percent of total state revenue receipts for the previous fiscal year.

Note: "Total state revenue receipts" is intended to include all revenue receipts, whether or not of a tax nature. Therefore, inclusive are federal grants, mineral revenues, etc.

Section 9 . State Debt; Maximum Debt Service Expense for All Purposes

Section 9. The legislature shall enact no law authorizing the issuance of state debt, whether contracted directly by the state or indirectly through a state board, agency, or commission, if issuance of such debt would result in total annual debt service requirements on all state obligations, whether outstanding or authorized and unissued, exceeding an amount equal to fifteen percent of the average total revenues from state sources available for debt service for the preceding three years.

Source: New

Comment: Under this Section total state indebtedness, whether contracted directly by the state or through any state board, agency, or commission, and whether outstanding, authorized and unissued, or proposed, shall not result in total annual debt service requirements exceeding fifteen percent of the average total revenues from state sources for the preceding three years.

As used in this Section, "total revenues from state sources" includes only state funds available for debt service. Thus, "total revenues from state sources", but also all other state revenues. However, federal funds are excluded. Nothing contained herein is intended to prevent the use of federal funds for debt service requirements. But it is not intended federal funds, even if available for debt service requirements, should be included in "total state revenue receipts" for calculation of total state indebtedness permissible under this Section.

As used in this Section, "debt service requirements" is intended to mean principal and interest due on all state obligations, regardless of the manner of issuance, and irrespective of whether they be authorized as debt, whether outstanding, authorized and unissued, or proposed.

Many states have avoided constitutional limitations on state debt by utilization of one or more concepts, the most often employed being the following: (1) revenue bonds; (2) railroad bonds; (3) the special cities doctrine; this is a "jurisprudential" rule, followed in some states, which provides that issuance of revenue bonds, secured solely by revenue from designated sources not resulting directly in new or additional taxes, is a form of borrowing which is not prohibited; (4) separate funds; (5) "such" provisions; (6) state debt; (7) state debt limit; (8) state debt limit; (9) state debt limit. Some courts have held that where the issuance of debt is contracted in the name of a state board, agency, or commission, state debt is not incurred and, therefore, the maximum state debt limitation is not applicable. It is
intended this Section will prevent any and all evasion of the state debt limitation provided herein.

Section 10. State Debt; Political Subdivisions of the State; Issuance and Sale of Obligations; State Bond Commission; Approval Required

Section 10 (A) The State Bond Commission hereby is created and its membership and authority shall be determined by the legislature.
(B) No bonds or other obligations shall be issued or sold by the state or any political subdivision of the state, or by any political subdivision of the state, unless prior written approval of the State Bond Commission is obtained.

Source: New

Comment: The State Bond Commission, which under present law (LSA-R.S. 39:401 et seq.) is a statutory commission, is granted constitutional status. Membership of the commission shall be determined by the legislature. It is intended that the authority of the commission shall be determined by the legislature, provided this determination shall be consistent with part (B) of this Section.

No bonds or other obligations of the state or any political subdivision of the state shall be issued or sold without prior written approval of the State Bond Commission. It is intended that the requirement to be applicable irrespective of the nature of the security involved, i.e., whether obligation is supported by full faith and credit of state, full faith and credit of political subdivision of state, or by revenue bonds issued by political subdivisions.

Since the financial status of the state is affected not only by state indebtedness but also by indebtedness of the state's political subdivisions, to promote financial stability and consistent with the intention of this Section to require approval by the State Bond Commission of the issuance or sale of all obligations by the state and its political subdivisions.

Section 11. Collection of State Funds; Bond Security and Redemption Fund

Section 11. All money received by the state or by any state board, agency, or commission, immediately upon receipt, shall be deposited in the state treasury, except money received as grants or donations or other forms of assistance to principal, interest, premiums, sinking or reserve fund requirements, which are secured by the full faith and credit of the state and which become due and payable within the current fiscal year. Thereafter, all money remaining in the Bond Security and Redemption Fund shall be credited to the State General Fund.

Subject to contractual obligations existing at the time this constitution is adopted, all state money deposited in the state treasury, except money received as grants or donations or other forms of assistance when the terms and conditions thereof deposit other than in the state treasury and (2) money received by trade or professional associations and then only if excluded by affirmative vote of two-thirds of the members elected to each house of the legislature. The first exception is intended to include both public and private donations, grants or other forms of assistance. The section therefore is intended to allow the exclusion of membership fees and other money contributed by members of trade or professional associations. Exclusion is possible only by two-thirds affirmative vote of each house of the legislature. It is the intention of this Section to allow exclusion under the second exception only when there is involvement contributed by members of trade or professional associations which money primarily is used for operating expenses.

The language "Subject to contractual obligations existing at the time this constitution is adopted" is intended to protect the holders of outstanding obligations of the State of Louisiana and its boards, agencies, and commissions. Nothing herein is intended to impair any contractual obligations existing at the time this constitution is adopted.

Under this section all obligations secured by the full faith and credit of the state additionally will be secured by the Bond Security and Redemption Fund, to which is allocated each fiscal year a sum sufficient fully to pay all obligations existing within the current fiscal year. The Bond Security and Redemption Fund is intended to provide a first priority for payment of all obligations due and payable within the current fiscal year.

After satisfaction of debt service requirements on all state obligations for the current fiscal year, the balance in the Bond Security and Redemption Fund is credited to the State General Fund.

The requirement that all state revenue receipts, with two exceptions, shall be deposited in the state treasury, such as service revenue receipts of the current fiscal year, receiving first priority, is intended to make more meaningful the pledge of full faith and credit of the state, thereby resulting in substantial savings to the state in debt service requirement.

Section 12. Expenditure of State Funds

Section 12. (A) Money shall be drawn from the state treasury only pursuant to an appropriation made in accordance with law. Each appropriation shall be for a specific sum of money and for a specified object.
(B) Total appropriations made by the legislature for any fiscal year shall not be greater than the anticipated revenues of the state.
(C) An appropriation shall be for a term no longer than one year and the legislature shall provide for the publication of a regular statement of receipts and expenditures of all state money at intervals of not more than one year.
(D) Except as otherwise provided in this constitution appropriation shall allocate to any object the proceeds of any particular tax or a part thereof except when required by the federal government for participation in federal programs.
(E) No appropriation shall be made under the head or title of contingent, nor shall an appropriation be made except for public purposes.

Source: La. Const. Art. 10 §§1, 10 (1921).

Comment: It is the intention of this Section that money can be withdrawn from the state treasury only pursuant to an appropriation in accordance with law, inclusive of which are the following requirements:
(A) An appropriation must be for a definite amount and for a specified purpose. This represents no change in substance of La. Const. of 1921, Art. IV, §10;
(B) The total appropriations authorized by the legislature during any fiscal year shall not exceed anticipated state revenues. "Anticipated state revenues" is intended to mean estimated state revenues as enumerated in the budget estimate submitted to the legislature each year by the governor pursuant to Article XI, Section 13 of this constitution. This provision is new and is intended to prevent fiscal irresponsibility.
(C) The term of an appropriation shall be no longer than one year. This represents a change in La. Const. of 1921 Art. IV, §1 which imposes a maximum term of two years. This change was prompted by reduction of frequency of regular legislative sessions from two years to one year. Also the legislature shall provide at least once each year a publication of an accounting of state money, including detailed information regarding receipts and expenditures.

(D) The subdivision "D" of this Section the language "except as otherwise provided in this constitution" refers to severance tax dedications contained in Article .... of this constitution. It is the intention of this Section to avoid all other obligations which makes a pledge of the full faith and credit of the state much more meaningful, thereby resulting in substantial savings to the state through decreased interest expense on state indebtedness, which always is secured by the
full faith and credit of the state under Article XI, Section 7 of this constitution.

(E) Subdivision "E" of this section prohibits contingency appropriations as provided in La. Const. of 1921, Art. IV, §10.

(F) No appropriation shall be made except for public purposes. No similar provision is contained in Louisiana Constitution of 1921. Addition herein is intended to prohibit appropriations for other than public purposes. Section 13. Management of State Funds; Budgets

A. The governor shall submit to the legislature, at a time fixed by law, a budget estimate for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues, and shall submit a general appropriation bill to authorize the proposed ordinary operating expenditures and, if necessary, a bill or bills containing recommendations in the budget for new or additional revenues.

B. The governor shall submit to each regular session of the legislature a proposed five-year capital outlay program with a request for implementation of the first year of the five-year program. All capital outlay projects approved by the legislature shall be made a part of the comprehensive State capital budget which shall be adopted by the legislature.


Comment: It is the intention of this Section to require the governor to submit to the legislature each year a comprehensive State budget estimate setting forth all proposed state expenditures and anticipated state revenues in addition to a general appropriation bill for authorizing ordinary operating expenses but also a five-year capital outlay budget with a request for implementation of the first year of the five-year program. Also, all capital improvements must be included in this comprehensive state capital budget which shall be adopted by the legislature.

It is the intention of this Section to force capital budgeting by the state.

Section 14. Management of State Funds; Public Record

Section 14. All reports and records of the collection, expenditure, investment, and use of state monies and all reports and records relating to state obligations shall be matters of public record except returns of taxpayers and matters pertaining thereto.

Source: New Comment: No substantive change in existing statutory law is intended, and it is not the intention of this Section to regulate returns of taxpayers and matters pertaining thereto to be public records. Also, it is not the intention of this section to prescribe exchange of information between this state and the United States or other states.

Section 15. Management of State Funds; Investment

Section 15. All money available for investment in the custody of the state treasurer shall be invested as provided by law.

Source: New Comment: This Section represents no change in existing statutory law. It is the intention of this Section that the legislature shall determine the manner and procedure for investment of state money.

Section 16. Management of State Funds; Donation, Loan, or Pledge of Public Credit

Section 16. (A) The funds, credit, property or things of value of the state, or of any political corporation thereof, shall not be leased, pledged, or donated to or for any person, partnership, associations or corporations, public or private, save the state nor any political corporation purchase, lease, or subscribe to the capital stock or stock of any corporation or association whatever or for any private enterprise.

(B) Nothing contained in this Section shall prevent intercorporate between the state and its political corporations or between political corporations, or between the state or its political corporations and the United States, or between the state or its political corporations and any public or private association or corporation or individual for a public purpose.


Comment: It is the intention of this Section to allow the loan, pledge, or donation of property of the state or its political corporations only for public purposes. This Section represents a change in substance of the source provision, which prohibited any funds, credit, property or things of value of the state or its political corporations to be loaned, pledged or donated to any person for any purpose other than those purposes contained within the source provision. Under this Section the term "public purpose" is left to interpretation by the judiciary so that there is sufficient flexibility for a lasting and workable document.

Section 17. Obligation to State, Parish or Municipal Corporation; Taxes on Confiscated Property

Section 17. The legislature shall have no power to reissue or extinguish, or to authorize the releasing or extinguishment of, whole or in part, of the indebtedness, liability, or obligation of any corporation or individual to the state, or to any parish or municipal corporation thereof; provided, that the heirs to confiscated property may be released from all taxes due thereon at the date of its reversion to them; however, whenever any immovable property, or other property, has been seized by the state for the nonpayment of taxes due prior to January 1, 1880, and the state did not sell or dispose of the same, or dispossesses the tax debtor or his heirs successors, or assigns prior to the adoption of the Constitution of 1921, it shall be deemed in such case for the forfeiture or adjudication was irregular and null, or that the property has been redeemed, and the state and its assigns shall be estopped forever from setting up any title to such property by virtue of such forfeiture or adjudication.


Comment: This section represents no change in substance of the source provisions, but there is modernization of language. This section is retained in this constitution for protection of certain property rights and for quieting the disputes in addition to prohibiting the legislature from releasing or extinguishing obligations in favor of the state or its political subdivisions, provided heirs to confiscated property may be released from all taxes due thereon at the date of its reversion.

Section 18. Legislation to Enable Compliance with Federal Laws and Regulations to Secure Federal Aid in Canal Improvement Projects

Section 18. The legislature may enact legislation to enable the state, its agencies, boards, and commissions, and political subdivisions of the state and their agencies to comply with federal laws and regulations in order to secure federal participation in the cost of capital improvement projects.


Comment: This Section represents no change in substance of the source provision, but there is modernization of language. As provided in the source provision, this Section is intended to grant power to the legislature to enact legislation to authorize relocation payments in addition to the just compensation for property rights if necessary to participate in federal capital improvement projects.

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 16—

Article .... Section .... Alienation of Water Bottoms;

Reservation of Mineral Rights

Section .... The legislature shall neither alienate nor authorize the alienation of the beds of navigable water-bodies except for purposes of reclamation by the riparian owner to recover land lost through erosion occurring subsequent to the date of adoption of this constitution, provided the reclamation is in effect prior to the date on which the erosion occurs. Except as provided herein, no bed of any navigable water body may be reclaimed except for public use. The mineral rights on all property sold by the state shall be reserved, except where the owner or other person having the right to redeem may buy or redeem property sold or adjudicated to the state for
taxes. This shall not prevent the leasing of such lands for mineral or other purposes.


Comment: Changes the source provision to prohibit alienation of the beds of navigable water bodies except for reclamation of land lost through erosion and to require that lands involved be any other reclamation project be dedicated to public use.

Article ..., Section .... Royalty Road Fund

Section .... From all mineral leases to be granted by the state, as well as from all mineral leases herefore granted by the state and all lands and river bottoms and other water bottoms belonging to the state or the title to which is in the public for mineral development, it is hereby provided that ten percent of the royalties received by the state from such lease or leases shall be placed, by the state treasurer, in a special fund to the credit of the parish from which the production is had, said fund to be known as Royalty Road Fund and that said money so accumulated in said Royalty Road Fund to the credit of said parish in which the production is had, shall be subject to the supervision and direction of the Department of Highways, or its successor, for the purpose and shall be used exclusively by said department or the successor thereof for the building and constructing of blacktop, concrete or other hard-surfaced roads, highways, bridges, and tunnels in said parish, to purchase, operate, and maintain automobile ferries in said parish.


Comment: Provides no change from the source provision.

Article ..., Section .... Minerals Beyond Three-Mile Limit

Section .... All revenues and royalties of every nature and kind obtained from minerals of all kinds located beyond the three-mile limit of the coastal waterways of the State of Louisiana, shall be the property of the State of Louisiana, and all funds derived therefrom shall be deposited in the state treasury and dedicated to the retirement and payment of all existing bonded indebtedness of the State of Louisiana.

Source: La. Const. Art. IV, § 2(b) (1921).

Comment: Provides no change from the source provision.

Article ..., Section .... Tidelands Mineral Revenues: Use of Funds

Section .... Notwithstanding any other provision of the constitution, not all funds received by the State of Louisiana during the calendar year 1966 and thereafter from revenues derived from tidelands mineral leases and now or hereafter held in escrow under an agreement executed by and between the State of Louisiana and the United States, shall be credited to the State of Louisiana, and all funds derived therefrom shall be deposited in the state treasury and dedicated to the retirement and payment of all existing bonded indebtedness of the State of Louisiana.

Source: La. Const. Art. IV, § 2(b) (1921).

Comment: Provides no change from the source provision.

on the last day of each calendar year there shall be set aside such amount as is needed to pay the principal of and interest on the outstanding bonded and other indebtedness of the state and its agencies, boards, and commissions in the next calendar year, as hereinafter prescribed, and such funds so set aside shall be so used. Thereafter, not more than ten percent of the total value of the said special fund remaining on the last day of each preceding calendar year, up to but not in excess of ten million dollars, may be appropriated by the legislature during the current calendar year following the adoption of this amendment in 1966 and in any calendar year thereafter, for capital improvements, including the purchase of land, architect and engineer fees, construction costs and equipment for buildings, and other costs.

This Section shall be self-operative and shall require no further or other legislation to place it into effect.


Comment: Provides no change from the source provision.

Article ..., Section .... Commissioner of Agriculture

Section .... The Department of Agriculture shall be headed by the commissioner of agriculture, who shall be elected for a term of four years by the electors of the state as prescribed by law. The duties and powers of the commissioner shall be prescribed by the legislature.


Comment: Provides no change from the source provision.

Article ..., Section .... Natural Resources and Environment: Public Policy

Section .... The natural resources of the state, including air and water, shall be protected, conserved, and, insofar as possible, replenished, consistent with the health, safety, and welfare of all people. The healthful, scenic, historic, and aesthetic quality of the environment shall be preserved into the future as far as possible. The legislature shall implement this policy by appropriate legislation.


Comment: Provides no change from the source provision.

Article ..., Section .... Wildlife and Fisheries Commission

Section .... The wildlife of the state including wild game and nongame quadrupeds or animals, game birds, fish and other aquatic life, are hereby placed under the control and supervision of Louisiana Wildlife and Fisheries Commission, consisting of seven members, appointed by the governor, six of whom shall serve for a term of six years and one for a term of three years, and shall serve in office during the term for which they are elected or appointed, as the case may be. Three shall be elected by the coastal parishes and representatives of the commercial fishing and fur industries, and three shall be elected from the state at large.

No member shall be eligible for reappointment who shall have served for as many as six years or more.

The specific functions, duties, and responsibilities of the commission and the compensation of its members shall be as provided by the legislature.


Section .... A state forester shall be appointed by the Louisiana Forestry Commission, and he must be a grad-provision except deletion of provisions regarding dual officeholding, salary, procedural matters, and selection of a director.


Comment: Provides no change from the source provision.

Article ..., Section .... Forestry Commission

Section .... The practice of forestry in the State of Louisiana is hereby placed under a Louisiana Forestry Commission, which is hereby established in the Executive Department of the State. The Louisiana Forestry Commission shall consist of seven members, five of which are to be appointed by the governor for terms of five years each, and two, namely the head of the Department of Forestry at Louisiana State University and Agricultural and Mechanical College and the director of Wildlife and Fisheries, who shall serve as ex officio members of the commission by virtue of their offices. Two of the members shall be owners or executive managers of interests owning and operating timberlands;
one shall be the owner of farm lands interested in re-
forestation; one shall be a pulp and paper mill owner or exec- 
utive manager of interests manufacturing or treating 
poles, pilings, cross-ties, or the like. 

Source: La. Const. Art. VI, §1(B) (1921).

Comment: Provides no substantive change from the source provision except deletion of provisions regarding salary of commissioners, domicile of commission, and other procedural matters.

Article ------------ Section -------- State Forestor. 

Section A state forester shall be appointed a graduate 
of forestry from an accredited school and have at 
least four years of forestry experience in the south. 

Source: La. Const. Art. VI, §1(B) (1921).

Comment: Provides no substantive change from the source provision except deletion of provisions regarding the powers, duties, and functions of the state forester.

Article ------------ Section -------- Public Service Commission 

Section The Public Service Commission is hereby 
created to consist of five members elected at the time 
fixed for congressional election from districts established 
by law for overlapping terms of six years, provided that 
the legislature shall establish initial terms of less than 
six years to implement said commission. 


Comment: Changes composition of commission from three to five members; deletes provisions concerning conflict of interests, salary of commissioners, employment of state and domicile of commission and requires the legis-
lature to establish new districts.

Article ------------ Section -------- Authority 

Section The commission shall regulate all common 
carriers and other public utilities, adopt and enforce rea-
sensible rules, regulations, and procedures for the discharge 
of its duties, and perform such other functions as provided 
by law. 


Comment: Provides no substantive change from source provision in regard to authority of commission except de-
tions of provision to grant commission detailed, specific 
powers.

Article ------------ Section -------- Limitations 

Section The commission shall have no authority to regu-
late any public utility operated by the governing 
authority of a political subdivision except by the consent 
of a majority of the electors voting in an election held 
for that purpose, nor shall the commission have any au-
tory to regulate the price of natural gas sold for indus-
trial use.


Comment: Changes source provision to prohibit the com-
misison from regulating the price of natural gas sold 
for industrial use.

Article ------------ Section -------- Decisions: Appeal 

Section The commission shall render a decision on 
a rate proposal within six months from the date of filing 
of such proposal; otherwise, the proposed schedule may 
be placed in effect by the utility under bond or other secu-
rities, in accordance with procedure to be fixed by the legis-
lature. If the commission should fail to render its decision 
within an additional period of three months, the proposed 
schedule shall be deemed approved. Any decision so ren-
dered shall be subject to judicial review in accordance 
with procedures otherwise provided in this constitution.


Comment: Deletes provisions concerning the effect of de-
cisions of commission, with penalties for violation there-
of, procedures for issuance of a temporary restraining 
order, review of appeals summarily, right of appeal 
exclusively to the Ninetieth Judicial District Court with 
appeal therefrom by right to the Louisiana Supreme 
Court. Requires a timely decision on all rate proposals 
and provides for judicial review in accordance with this 
constitution.

Article ------------ Section -------- Geothermal-Geopressure 

Section The state shall conserve, manage, and regu-
late the development and utilization of geothermal-geo-
pressure resources for the benefit of all people including 
future generations.

Source: New

Comment: Sets forth the public policy of the state in 
regard to development and utilization of geothermal-
geopressure resources.

Article ------------ Section -------- Mineral Rights: Alluvion 

Section Mineral rights to land formed or exposed 
by accretion or derivation caused principally by acts of 
man, on a water body the bed of which is owned by the 
state, are retained by the state. 

Source: New

Comment: Provides for the state to retain mineral rights 
which would otherwise have been lost by operation of 

Article ------------ Section -------- Mineral Rights: Erosion 

Section Mineral rights to land lost by erosion 
caused principally by acts of man, on a navigable 
water body, are retained by the riparian landowner. 

Source: New

Comment: Provides for the riparian landowner to retain 
mineral rights which would otherwise have been lost 
Weiss would include an additional section in the "Declaration of Rights" as follows:

Section ... Rights of the Family

Laws restricting the right of an unmarried man and woman to marry shall be limited to reasonable requirements as to health, full consent, waiting period, registration, marriage of relatives, and, in the case of minors, minimum age and parental consent. Subject to reasonable minimal standards of health, education, and welfare of the child established by law, parents have the paramount right to rear their children in accordance with their own convictions.

Minority Report No. 2 by Delegates Dunlap, Jenkins, Stinson, and Weiss would delete the "Section 8. Freedom from Discrimination" in its entirety from the "Declaration of Rights".

Minority Report No. 3 by Delegates Jenkins, Dunlap, and Weiss would delete the words "or cases in which no parole or probation is permitted" from "Section 16. Trial by Jury in Criminal Cases" in the "Declaration of Rights".

Minority Report No. 4 by Delegates Weiss, Roy, and Stinson would include an additional section in the "Declaration of Rights" as follows:

Section ... Treason

Treason against the state shall consist only in levying war against it. No person shall be convicted of treason except on the testimony of two witnesses to the same overt act or on his confession in open court.

Minority Report No. 5 by Delegates Roy, Soniat, and Weiss would include an additional section in the "Declaration of Rights" as follows:

Section ... Civil Service Rights

Everyone shall have an equal opportunity to apply for civil service employment. Selection shall be based on merit without unreasonable qualifications of age and sex. Civil service employees, subject to dismissal for cause, have the right to a hearing.

Minority Report No. 6 by Delegates Weiss, Dunlap, and Stinson would include an additional section in the "Declaration of Rights" as follows:

Section ... Cultural Rights

People within the state having a distinct language or culture have the right to conserve the same.

Minority Report No. 7 by Delegate Stinson would delete from "Section 3. Right to Individual Dignity" of the "Declaration of Rights" the word "sex".

Introductions of Resolutions

Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 24—

Introduced by Delegate Abraham:

A RESOLUTION

Relative to explanation of Substantive Committee Proposals.

Read.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Delegate Stovall, chairman, on behalf of the Committee on Rules, Credentials and Ethics, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Rules, Credentials and Ethics to submit the following report:

COMMITTEE RESOLUTION No. 4—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION

Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Reported with amendments.

COMMITTEE RESOLUTION No. 6—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION

Amending Rule No. 41 of the Standing Rules of the Constitutional Convention to change the placement of page numbers on proposals to be introduced in this convention.

Reported favorably.

DELEGATE RESOLUTION No. 23—

Introduced by Delegates O'Neil, Thistlethwaite, and Corne:

A RESOLUTION

Amending Rule Nos. 3 and 36 of the Standing Rules of the Constitutional Convention to provide for greater independence of delegate voting.

Reported unfavorably.

Respectfully submitted,
JAMES L. STOVALL,
Chairman.

Suspension of the Rules

Delegate Stovall moved for a suspension of the rules in order to consider the adoption of the resolutions contained in the Committee Report.

Delegate Duval objected.

By a vote of 91 yeas and 23 nays the rules were suspended.

Delegate and Committee Resolutions on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

DELEGATE RESOLUTION No. 23—

Introduced by Delegates O'Neil, Thistlethwaite and Corne:

A RESOLUTION

Amending Rule Nos. 3 and 36 of the Standing Rules of the Constitutional Convention to provide for greater independence of delegate voting.

Read.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.

Delegate Stagg moved that the resolution be withdrawn from the files of the Convention.

As a substitute Delegate De Blieux moved that the resolution be engrossed and passed to its third reading.

The vote recurred on the substitute motion.

By a vote of 35 yeas and 65 nays the Convention refused to order the resolution engrossed and passed to its third reading.

On motion of Delegate Stovall the resolution was withdrawn from the files of the Convention.

COMMITTEE RESOLUTION No. 4—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire Singletary, Velazquez and Warren:
A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Read.

Reported with the following amendments by the committees on Rules, Credentials and Ethics.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Rules, Credentials and Ethics to Committee Resolution No. 4 by Delegate Stovall on behalf of the Committee on Rules, Credentials and Ethics.

Amend original Resolution as follows:

AMENDMENT No. 1—
On page 2, line 32, after the word "proposition;" and before the word "nor" insert the words "nor to any delegate;".

On motion of Delegate Stovall, the resolution was returned to the Calendar subject to call.

COMMITTEE RESOLUTION No. 6—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION
Amending Rule No. 41 of the Standing Rules of the Constitutional Convention, to change the placement of page numbers on proposals to be introduced in this convention.

Read.

Reported favorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Stovall the resolution was adopted.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 3—
Introduced by Delegate Asseff:

A PROPOSAL
Relative to legislation increasing financial burdens of school boards.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 4—
Introduced by Delegates Asseff, Lennox and Womack:

RELATIVE TO THE MANAGEMENT OF THE STATE HIGHWAY SYSTEM.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 5—
Introduced by Delegate Weiss:

A PROPOSAL
To provide a guarantee of the right to life and to provide exceptions thereto.

Read.

Lies over under the rules.

Delegate and Committee Resolutions

The following entitled Delegate and Committee Resolutions lying over were taken up and acted on as follows:

COMMITTEE RESOLUTION No. 3—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide expressly for submission of alternative proposals.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

COMMITTEE RESOLUTION No. 5—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION
Amending Rule No. 44 of the Standing Rules of the Constitutional Convention to clarify the requirement with respect to the readings on three different days.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

COMMITTEE RESOLUTION No. 7—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide for submission of minority proposals.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 20—
Introduced by Delegate Asseff:

A RESOLUTION
To require each substantive committee to report to the Convention any portion or portions of the constitution that have been omitted and to indicate clearly and specifically all changes that are being proposed.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 21—
Introduced by Delegate Brown:

A RESOLUTION
To send best wishes to the members of the Constitutional Convention of Louisiana of 1921 still living and request their assistance and advice.

Read.

On motion of Delegate Brown, and under a suspension of the rules, the resolution was adopted.

DELEGATE RESOLUTION No. 22—
Introduced by Delegate O’Neill:

A RESOLUTION
To amend and readopt Paragraph B of Rule No. 62 of the Standing Rules of the Constitutional Convention, relative to the notice required for committee meetings.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

Proposals on Second Reading and Referral

The following entitled Delegate and Committee Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 1—
Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Dele-
Committee Proposal No. 1—
Introduced by Delegate Whitaker, of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

Committee Proposal No. 2—
Introduced by Delegate Leithman, of the Committee on Local and Parochial Government, and Delegates Callender, Carville, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for local and parochial government and necessary provisions with respect thereto.
Read.

Under the rules the above proposal was referred to the Committee on Local and Parochial Government.

Committee Proposal No. 3—
Introduced by Delegate Stagg, of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources by providing for state city civil service.
Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

Committee Proposal No. 4—
Introduced by Delegate Stagg, of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources by providing for municipal fire and police civil service.
Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

Committee Proposal No. 5—
Introduced by Delegate Stagg, of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources by providing for retirement and survivors' benefits.
Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

Committee Proposal No. 6—
Introduced by Delegate Dennis, of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.
Read.

Under the rules the above proposal was referred to the Committee on Judiciary.

Committee Proposal No. 7—
Introduced by Delegate Aertker, of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources by prohibiting the leasing of convicts and the employment of convicts in competition with private enterprise and by providing for reimbursement to parishes for expenses incurred resulting from crimes committed in penal institutions.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

**COMMITTEE PROPOSAL No. 13—**
Introduced by Delegate Aertker Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry Leitham, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

**A PROPOSAL**
Making provisions for human resources by providing for the settlement of disagreements through arbitration.

Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

**COMMITTEE PROPOSAL No. 14—**
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leitham, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

**A PROPOSAL**
Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

**COMMITTEE PROPOSAL No. 15—**
Introduced by Delegate Bayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Badeaux, Brown, Champagne, Chehardy, Conroy, De Bilieux, Edwards, Fortenot, Lowe, McDaniel, Maureret, Mire, Newton, Nunez, Planchar, Roemer, Schmitt, Slay, Smith, Triche and Winchester:

**A PROPOSAL**
Relative to the tax structure of the state and to public finance.

Read.

Under the rules the above proposal was referred to the Committee on Revenue, Finance and Taxation.

**DELEGATE PROPOSAL No. 1—**
Introduced by Delegate Assaf:

**A PROPOSAL**
For supplemental pay increases for state policemen.

Read.

Under the rules the above proposal was referred to the Committee on Local and Parochial Government.

**DELEGATE PROPOSAL No. 2—**
Introduced by Delegate Assaf:

**A PROPOSAL**
To protect the sources of information of news reporters.

Read.

Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

**Suspension of the Rules**

On motion of Delegate Stovall the rules were suspended in order to take up Resolutions on Third Reading and Final Passage at this time.

**Vice-Chairman Miller in the Chair**

Resolutions on Third Reading and Final Passage

The following entitled resolutions and third reading and final passage were taken up and acted upon as follows:

**COMMITTEE RESOLUTION No. 4—**
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegate Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singleton, Velazquez and Warren:

**A RESOLUTION**
Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Read.

**Called for the Calendar**

Reported with the following amendment by the Committee on Rules, Credentials and Ethics.

**COMMITTEE AMENDMENT**

Amendment proposed by Committee on Rules, Credentials and Ethics to Committee Resolution No. 4 by Delegate Stovall on behalf of the Committee on Rules, Credentials and Ethics.

Amend original resolution as follows:

**AMENDMENT No. 1—**
On page 2, line 32, after the word "proposition;" and before the word "nor" insert the words "nor to any delegate;".

On motion of Delegate Stovall the amendment was adopted.

Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Stagg, Stovall and A. Jackson to Committee Resolution No. 4 by Delegate Stovall.

Amend original resolution as follows:

**AMENDMENT No. 1—**
On page 2, line 26, after the number "2," delete the remainder of line 26 in its entirety and delete line 27 in its entirety and at the beginning of line 28, delete the following: "ing of the booklet and identification badges."

**AMENDMENT No. 2—**
On page 3, delete lines 10 through 13, both inclusive, in their entirety.

Delegate Stagg moved the adoption of the amendments.

Delegate Corne objected.

By a vote of 91 yeas and 21 nays the amendments were adopted.

Delegate Nunez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Nunez to Committee Resolution No. 4 by Delegate Stovall.

Amend original Resolution as follows:

**AMENDMENT No. 1—**
On page 3, line 5, insert the following:
"G. All lobbyists currently registered with the clerk of the House of Representatives or the president of the Senate of the Louisiana Legislature for the year 1973, shall not be required to re-register with the clerk of the Constitutional Convention. Such lobbyists shall be required to pay any fees imposed upon lobbyists under the rule."

Delegate Nunez moved the adoption of the amendment.

Delegate Derbes objected.

By a vote of 45 years and 69 nays the amendment was rejected.

**Recess**

On motion of Delegate Womack the Convention recessed until 3:45 o'clock P.M.
After Recess

The convention was called to order at 3:45.

The roll being called the following delegates answered to their names.

PRESENT

Messrs.—
Mr. Chairman Fowler Perez
Abraham Fulco Planchar
Aertker Giarrusso Rayburn
Alario Gravel Riecke
Alexander Grier Robinson
Anzalone Hardee Roy
Asseff Hayes Sandoz
Badeaux Heine Schmitt
Bel Hernandez Shannon
Bergeron Jack Silverberg
Blair Jackson, A. Singletery
Bollinger Jackson, J. Slay
Brown Jenkins Smith
Burson Keen Soniat
Casey Kilbourne Stephenson
Champagne Lambert Stinson
Chiarelain Landrum Tate
Conco Landry, A. Taylor
Conroy Landry, E. J. Thistlewaite
Corne Lanier Thompson
Cowan LeBloue Tobias
De Blieux Leigh Toomy
Dennis Leithman Triche
Derbes Lennox Ulo
Deshotels McDaniel Velazquez
Dunlap Martin Vick
Duval Mauberret Warren
Edwards Mire Weiss
Elkins Munson Wisham
Fayard Newton Womack
Flory O'Neill Zervigon
Fontenot Ourso

Total—95.

ABSENT

Messrs.—
Armentor Guarisco Reeves
Arnette Guidry Roemer
Avant Haynes Segura
Brown Juneau Stagg
Burns Kelly Stovall
Cannon Kilpatrick Sutherland
Carmouche LeBreton Tapper
Chehardy Lowe Toca
D'Gerolamo Miller Vesich
Dennery Nunez Wall
Drew Perkins Willis
Gauthier Rachal Winchester
Ginn

Total—37.

And the chairman announced their were 94 members present and a quorum.

Resolutions on Third Reading and Final Passage, Continued

The following entitled resolutions on third reading and final passage were taken up and acted upon as follows:

COMMITTEE RESOLUTION No. 4—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION

Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Read.

Delegate Derbes sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Resolution No. 4 by Delegate Stovall.

Amend original Resolution as follows:

AMENDMENT No. 1—

On page 3, delete lines 31 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"F. Upon a majority vote, the Executive Committee shall deny to anyone, who violates the provisions of this rule, the privilege of addressing any committee of this convention for a period of time to be established by the Executive Committee."

Delegate Derbes moved the adoption of the amendment.

Delegate Jack objected.

By a vote of 31 yeas and 70 nays the amendment was rejected.

Delegate Flory sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Resolution No. 4 by Delegate Stovall.

Amend original Resolution as follows:

AMENDMENT No. 1—

On page 1, line 25, after the word "convention" insert a period "." and delete the remainder of the line, and delete line 26 in its entirety.

Delegate Flory moved the adoption of the amendment.

Delegate Triche objected.

By a vote of 53 yeas and 52 nays the amendment was adopted.

Delegate Brown sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendments proposed by Delegate Brown to Committee Proposal No. 4 by Delegate Stovall.

Amend Original Proposal as follows:

AMENDMENT No. 1—

On page 3, line 32, after the word "convention" delete the remainder of the line and insert in lieu thereof the word "may"

Delegate Flory moved the adoption of the amendment.

AMENDMENT No. 2—

On page 3, line 34, after the word "meeting," and before the word "convention" insert the word "or"

AMENDMENT No. 3—

On page 3, line 35, after the word "session" and before the words "for not" delete the comma "," and delete the words "or delegate"

AMENDMENT No. 4—

On page 4, line 2, after the word "tor" and before the words "be denied" delete the word "shall" and insert in lieu thereof the word "may"

AMENDMENT No. 5—

On page 4, line 2, after the word "meetings" delete the remainder of the line and at the beginning of line 3, delete the word "delegates" and insert in lieu thereof the following:

"and sessions"

On motion of Delegate Brown the amendments were adopted.

Delegate Shannon sent up floor amendments, which were read as follows:
FLOOR AMENDMENT

Amendments proposed by Delegate Shannon to Committee Resolution No. 4 by Delegate Stovall.

Amend original resolution as follows,

AMENDMENT No. 1—
On page 2, line 5, immediately after the word “pay” delete the remainder of the line

AMENDMENT No. 2—
On page 2, line 6, at the beginning of the line before the words “for the” strike out the words “any consideration”

Delegate Shannon moved the adoption of the amendments.
Delegate Duval objected.

By a vote of 65 yeas and 34 nays the amendments were adopted.
Delegate Stovall moved the adoption of the resolution, as amended.
Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Messrs.—

Alario — Gauthier — Sandoz
Asseff — Ginn — Singleterry
Bel — Grier — Slay
Brown — Guizarco — Stagg
Burson — Heine — Stovall
Carmouche — Jack — Tate
Casey — Jackson, J. — Taylor
Champagne — Juneau — Thistlewaite
Conino — Kean — Thompson
D'Gerolamo — Kelly — Tobias
Dennis — Lambert — Toca
Derbes — Leithman — Triche
Deshotsels — McDaniel — Weiss
Dunlap — Miller — Willis
Elkins — Perkins — Zervigon
Fayard — Reeves —
Fontenot — Roy —
Total—49.

NAYS

Messrs.—

Abraham — Gravel — Oursin
Aertker — Hardee — Perez
Alexander — Hayes — Plancharde
Anzalone — Hernandez — Rayburn
Arnette — Jackson, A. — Riecke
Badeaux — Jenkins — Robinson
Bergeron — Kilpatrick — Roemer
Blair — Landrum — Shannon
Bollinger — Landry, A. — Silverberg
Brown — Landry, E. J. — Smith
Burns — Lanier — Soniat
Chatelain — LeBlanc — Stephenson
Conroy — LeBlanc — Tassin
Corme — Leigh — Tapper
Cowen — Lenox — Toomy
De Blieux — Lowe — Ullo
Drew — Martin — Velazquez
Duval — Maubert — Vetch
Edwards — Mire — Wall
Flory — Munson — Winchester
Fowler — Newton — Wisham
Fulco — Nunez — Womack
Girrussro — O’Neill —
Total—68.

ABSENT

Messrs.—

Mr. Chairman — Dennery
Armentor — Guidry
Avant — Haynes
Cannon — LeBreton
Chehardy — Rachal
Total—15.

And the resolution was rejected.
Delegate Nunez moved to reconsider the vote by which the resolution was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate O’Neill, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions
Delegate and Committee Resolutions

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 25—
Introduced by Delegate O’Neill:
A RESOLUTION
Relative to the time for convention meetings.
Read.
Delegate O’Neill moved for a suspension of the rules in order to consider the adoption of the resolution at this time.
Delegate Triche objected.

By a vote of 35 yeas and 78 nays the Convention refused to suspend the rules to consider the adoption of the resolution at this time.

Lies over under the rules.

Motion

On motion of Delegate Lambert, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

COMMITTEE PROPOSAL No. 16—
Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegate Bollinger, Derbes, Elkins, Guidry, Hardee, Jack, LeBlanc, Leigh, Miller, Munson, Perkins, Singleterry, Thompson, Velazquez, Warren and Womack:
A PROPOSAL
Making provisions relating to natural resources and environment.

Read.
Lies over under the rules.

PRIVILEGED REPORT OF THE SECRETARY RELATIVE TO ENROLLMENT

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:
I submit the following report:
That the following entitled Committee Resolution having been finally adopted by the Convention has been properly enrolled in final form:
COMMITTEE RESOLUTION No. 6—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and delegates Arnette, Bel, Ballinger, Coro, Elkins, McDaniel, Mire, Singletary, Velasquez, and Warren:

A RESOLUTION

Amending Rule No. 41 of the Standing Rules of the Constitutional Convention, to change the placement of page numbers on proposals to be introduced in this convention.

Be it resolved that Rule No. 41 of the Standing Rules of the Constitutional Convention is hereby amended and reappropiated to read as follows:

Rule No. 41. Form of Proposals. Delegate proposals shall be distinguished from committee proposals and all proposals shall be separately numbered. All proposals shall be introduced or submitted in eight copies. All proposals must be typed, double spaced on 8-1/2-by-14-inch paper in a type face with excellent reproduction qualities. A margin of one inch on the left and right side and at the top and bottom shall be preserved. The lines on each page shall be numbered consecutively from top to bottom at the left margin, and the left typing margin shall be two spaces to the right of the line numbers. Pages commencing with page two shall be numbered at the bottom center of the page. The original of all proposals shall remain in the custody of the convention. The secretary shall, as soon as any proposal is printed, place it on the desks of the delegates. The capture of each proposal shall be substantially in the form, Constitutional Convention of Louisiana of 1973

PROPOSAL

(Committee or Delegate)

Introductions to

(Name of Delegate or Committee Chairman)

Respectfully submitted,

Chief Clerk

In the absence of the secretary, by DAVID R. POYNTER,

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of Louisiana 1973, submits the following report:

Constitutional Conventions of 1973

State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Delegate Resolution having been finally adopted by the Convention has been properly enrolled in final form:

DELEGATE RESOLUTION No. 21—

Introduced by Delegate James H. Brown, Jr.

A RESOLUTION

To extend best wishes to the members of the Constitutional Convention of Louisiana of 1921 still living and request their assistance and advice.

WHEREAS, we as delegates selected by the people or appointed by the governor are convened in a Constitutional Convention to rewrite the basic law of the State of Louisiana; and

WHEREAS, we are grateful to Almighty God for his blessings during the fifty-two years since the Constitutional Convention of Louisiana of 1921; and

WHEREAS, we are indebted to the members of the Constitutional Convention of Louisiana of 1921.

Therefore, be it resolved that the Constitutional Convention of Louisiana of 1973 sends its best wishes to those members of the Constitutional Convention of Louisiana of 1921 still living:

Richard A. Dowling of New Orleans
Sam H. Jones of Lake Charles
J.O. Fernandez of New Orleans
Judge Rene A. Viosca of New Orleans
John H. Meaux of Creole
John Dale, Jr. of Vidalia

BE IT FURTHER RESOLVED that the Constitutional Convention of Louisiana of 1973 calls upon Delegate Dowling, Delegate Jones, Delegate Fernandez, Delegate Viosca, Delegate Meaux, and Delegate Dale to lend any assistance and advice to the work of this convention that might be appropriate.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to each delegate of the Constitutional Convention of 1921 honored herein.

Chief Clerk

In the absence of the secretary, by DAVID R. POYNTER,

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

COMMITTEE NOTICES

Delegate Zervigon, Vice-Chairman of the Committee on Legislative Liaison and Transitional Measures, in the absence of Chairman LeBreton, sent up the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Wednesday, July 11, at 10:00 o'clock A.M. in Committee Room No. 9 of the State Capitol and will consider the following agenda:

AGENDA

1) Report of the Sub-committee on Alternative Methods of Transportation.

2) Such other matters as may properly be considered by the committee.

Respectfully submitted,

MARY ZERVIGON
Vice-Chairman of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Delegate Stagg, chairman of the Committee on Executive Department, sent up the following notice:

The Committee on Executive Department will meet on Wednesday, April 11, 1973, at 9:30 o'clock in Baton Rouge - State Capitol, Committee Room 205 and will consider the following agenda:

AGENDA

To consider the committee proposals referred to the Committee on the Executive Department of the Constitutional Convention at its session of July 6, 1973.

Respectfully submitted,

MR. TOM STAGG
Chairman of the Committee on Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Delegate Blair, chairman of the Committee on Legislative Powers and Functions, sent up the following notice:

The Committee on Legislative Powers and Functions will meet on Tuesday and Wednesday, July 10, 11, at 10:00 o'clock in Committee Room 9 and will consider the following agenda:

...
AGENDA

To consider the Committee Proposal referred to the Committee.

Respectfully submitted,

MR. BLAIR
Chairman of the Committee on Legislative Powers and Functions

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Wednesday, July 11, 10:00 o'clock in Committee Rm. 5 and will consider the following agenda:

AGENDA

To consider the committee proposal referred to the Committee.

Respectfully submitted,

B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Adjournment

Delegate Munson moved that the Convention do now adjourn until Wednesday, July 11, 1973 at 12:00 o'clock noon.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, July 11, 1973 at 12:00 o'clock noon.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Messrs.—
Mr. Chairman Gauthier Perkins
Abraham Giarrusso Planchard
Aertker Glenn Rachal
Alario Gravel Rayburn
Alexander Grier Reeves
Anzalone Guarisco Riecke
Armentor Hardee Robinson
Arnette Hayes Roemer
Asseff Haynes Roy
Badeaux Heine Sandoz
Bel Hernandez Schmitt
Bergeron Jack Segura
Blair Jackson, A. Shannon
Bollinger Jenkins Silverberg
Brien Juneau Singletary
Brown Kean Slay
Burns Kelly Smith
Burson Kilbourne Soniat
Carmouche Kilpatrick Stagg
Casey Lambert Stephenson
Champaign Landrum Stinson
Chatelain Landry, A. Stovall
Chardy Landry, E. J. Sutherland
Conin Lanier Tapper
Conroy LeBlanc Tate
Corne LeBreton Taylor
Cowen Leithman Thistlethwaite
De Blieux LeNox Thompson
D’Gerolamo Lowe Tobias
Dennery Lowe Toca
Deshotels McDaniel Toomy
Drew Martin Velazquez
Dunlap Mauzeret Vick
Duval Miller Wall
Edwards Mire Warren
Elkins Munson Wells
Fayard Newton Willis
Flory Nunez Winchester
Fontenot O’Neill Wisham
Fowler Ourso Womack
Fulco Perez Zervigon

Total—123.

ABSENT

Messrs.—
Avant Derbes Triche
Cannon Guidry Ullo
Dennis Jackson, J. Versich

Total—9.

The Chairman announced that there were 123 members present and a quorum.

Prayer

Prayer was offered by Delegate De Blieux.

Pledge of Allegiance

Delegate Giarrusso led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Leithman, the reading of the Journal was dispensed with.

On motion of Delegate Leithman, the Journal of yesterday was adopted.

Morning Hour

Introduction of Proposals

Delegate and Committee Resolutions

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

COMMITTEE RESOLUTION No. 8—

Introduced by Delegate Stovoll, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION

Amending Rule No. 40 of the Standing Rules of the Constitutional Convention to clarify the requirement that each committee proposal shall bear the signature of a majority of the members of the committee.

Read.

On motion of Delegate Stovoll the rules were suspended in order to consider the resolution.

On motion of Delegate Stovoll the resolution was referred to the Committee on Rules, Credentials and Ethics.

Reports of Committees

The following reports of committees were received and read:

Delegate Stagg, chairman, on behalf of the Committee on the Executive Department submitted the following report:

State of Louisiana
Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on the Executive Department to submit the following report:

COMMITTEE PROPOSAL No. 4—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department;

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices and with respect to dual office-holding. A code of ethics, and impeachment.

Reported with amendments.

Respectfully submitted,

TOM STAGG,
Chairman.
Delegate and Committee Proposals
Reported by Committees

The following delegates and committee proposals reported by committees were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Reported with the following amendments by the Committee on Executive Department.

COMMITTEE AMENDMENTS

Amendments proposed by the Committee on Executive Department to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 11 after the word "EXECUTIVE" delete the word "DEPARTMENT" and insert in lieu thereof the word "BRANCH".

AMENDMENT No. 2—
On page 1, line 13 after the word "of" delete the word "a", and insert in lieu thereof the word "the".

AMENDMENT No. 3—
On page 1, line 19 after the word "powers," and before the word "duties" delete the word "and"

AMENDMENT No. 4—
On page 1, line 19 after the word "duties" and before the word "and" insert a ","

AMENDMENT No. 5—
On page 1, line 21 after the word "allocated" and before the word "according" insert a ","

AMENDMENT No. 6—
On page 2, line 5 before the word "for" delete the word "statewide"

AMENDMENT No. 7—
On page 2, line 11 after the word "and" and before the word "promulgated" delete the word "be"

AMENDMENT No. 8—
On page 2, line 12 after the word "as" and before the word "be" delete the word "may" and insert in lieu thereof the word "shall"

AMENDMENT No. 9—
On page 2, line 15 after the word "equal" and before the word "and" delete the ""

AMENDMENT No. 10—
On page 2, line 17 after the word "the" and before the "", delete the word "result" and insert in lieu thereof the word "winner"

AMENDMENT No. 11—
On page 2 line 20 after the "," delete the remainder of the line

AMENDMENT No. 12—
On page 2 line 21 delete the line in its entirety

AMENDMENT No. 13—
On page 3 line 10 after the word "shall" and before the word "at" insert ","

AMENDMENT No. 14—
On page 3 delete lines 15 through 19 in their entirety and insert in lieu thereof

"(c) Reports and Information. Any department head shall provide the governor with reports and information, in writing or otherwise, when requested by him on any subject relating to such department, excepting matters relating to investigations of the governor's office."

AMENDMENT No. 15—
On page 3 line 27 after the word "exceed" and before the word "annual" insert the word "anticipated"

AMENDMENT No. 16—
On page 3 line 27 after the word "as" and before the word "by" delete the word "anticipated" and insert in lieu thereof the word "projected"

AMENDMENT No. 17—
On page 4 line 15 after the word "he" and before the "", delete the word "approved" and insert in lieu thereof the word "approves"

AMENDMENT No. 18—
On page 4 line 19 after the word "time" and before "pro" delete the word "otherwise"

AMENDMENT No. 19—
On page 5 line 7 after the word "confirm" insert a ".", and delete the remainder of the line.

AMENDMENT No. 20—
On page 5 line 8 at the beginning of the line delete the word "ment"

AMENDMENT No. 21—
On page 5 line 8 after the word "session" and before the word "shall" insert a ""

AMENDMENT No. 22—
On page 5 line 8 after the word "shall" delete the remainder of the line and insert in lieu thereof "constitute reflection of the appointment:"

AMENDMENT No. 23—
On page 6 line 9 delete the line in its entirety

AMENDMENT No. 24—
On page 6 line 11 after the word "appointments" and before the word "which" insert a ""

AMENDMENT No. 25—
On page 6 line 6 at the end of the line delete the word "extra-" and insert in lieu thereof the word "extra-"

On motion of Delegate Stagg the proposal was recommitted to the Committee on Executive Department.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 6—
Introduced by Delegate Weiss: A PROPOSAL
Making general provisions for elections.

Read.

Lies over under the rules.

Delegate and Committee Resolutions

The following entitled Delegate and Committee Resolutions lying over were taken up and acted on as follows:

DELEGATE RESOLUTION No. 24—
Introduced by Delegate Abraham: A RESOLUTION
Relative to explanation of Substantive Committee Proposals.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 25—
Introduced by Delegate O'Neill: A RESOLUTION
Relative to the time for convention meetings.

Read.
Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

Proposals on Second Reading and Referral
The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 16—
Introduced by Delegate Lambert, Chairman, on behalf of the Committee on Natural Resources and Environment, and Delegates Bollinger, Derbes, Elkins, Guidry, Hardee, Jack LeBleu, Leigh, Miller, Munson, Perkins, Singletary, Thompson, Velazquez, Warren and Womack:
A PROPOSAL
Making provisions relating to natural resources and environment.
Read.
Under the rules the above proposal was referred to the Committee on Natural Resources and Environment.

DELEGATE PROPOSAL No. 3—
Introduced by Delegate Asseff:
A PROPOSAL
Relative to legislation increasing financial burdens of school boards.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 4—
Introduced by Delegates Asseff, Lennox and Womack:
A PROPOSAL
RELATIVE TO THE MANAGEMENT OF THE STATE HIGHWAY SYSTEM.
Read.
Under the rules the above proposal was referred to the Committee on Executive Department.

DELEGATE PROPOSAL No. 5—
Introduced by Delegate Weiss:
A PROPOSAL
To provide a guarantee of the right to life and to provide exceptions thereto.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

Motion
Delegate Stovall moved that no unofficial publications, xerox copies or other printed matter be copied or placed on the convention delegates desks until further action or recommendation by the Committee on Rules, Credentials and Ethics.
Delegate Landrum objected.
By a vote of 105 yeas and 15 nays the motion was adopted.

Motion
On motion of Delegate Aertker the rules were suspended in order to call a meeting of the Committee on Education and Welfare without giving the required 24 hours notice.

Motion
On motion of Delegate Stagg the rules were suspended in order to call a meeting of the Committee on Executive Department without giving the required 24 hour notice.

Motion
On motion of Delegate Lambert the rules were suspended in order to call a meeting of the Committee on Natural Resources and Environment without giving the required 24 hour notice.

Motion
On motion of Delegate A. Jackson, Jr. the rules were suspended in order to call a meeting of the Committee on Bill of Rights and Elections without giving the required 24 hour notice.

Motion
On motion of Delegate Rayburn the rules were suspended in order to call a meeting of the Committee on Revenue, Finance and Taxation without giving the required 24 hour notice.

Motion
On motion of Delegate Stovall the rules were suspended in order to call a meeting of the Committee on Rules, Credentials and Ethics without giving the required 24 hour notice.

Motion
On motion of Delegate Perez the rules were suspended in order to call a meeting of the Committee on Local and Parochial Government without giving the required 24 hour notice.

COMMITTEE NOTICE
Delegate A. Landry, on behalf of Delegate Dennis, chairman of the Committee on the Judiciary, sent the following notice:
The Committee on Judiciary will meet on Wed., 7/18, Thurs. 7-19, Fri., 7/20, Sat., 7/21, at 9 a.m. o'clock in Committee Room 1, Capitol and will consider the following agenda:

AGENDA
Public hearing on Committee Proposal No. 6 and any other business which may come before the committee.

Respectfully submitted,
DELEGATE A. LANDRY
Vice Chairman of the Committee on Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Aertker, chairman of the Committee on Education and Welfare, sent the following notice:
The Committee on Education and Welfare will meet on Thursday, July 12, 1973, at 10:00 o'clock in Instructional EBR Ph. Sch. Ed. Office, 1000 South Foster and will consider the following agenda:

AGENDA
Consider proposals referred to the Committee.

Respectfully submitted,
DELEGATE ROBERT AERTKER
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Alphonse Jackson, Jr., chairman of the Committee on Bill of Rights and Election, sent the following notice:
The Committee on Bill of Rights and Election will meet on Thurs. & Fri. July 12 & 13, at 10:00 A.M. o'clock in
AGENDA
Draft: Proposal on Election Procedure.

Respectfully submitted,
DELEGATE ALPHONSE JACKSON, JR.  
Chairman of the Committee on  
Bill of Rights and Election

The above notice was read in open session and publicly  
posted as provided by the Rules of Procedure of the  
Convention.

COMMITTEE NOTICE
Delegate Louis Lambert, chairman of the Committee on  
Natural Resources & Environment, sent up the following  
otice:

The Committee on Natural Resources & Environment will  
meet on Thurs. & Fri., July 12 & 13, at 8:00 A.M. o'clock  
in Senate Lounge and will consider the following agenda:

AGENDA
To consider the proposals referred to the Committee.

Respectfully submitted,
DELEGATE LOUIS LAMBERT  
Chairman of the Committee on  
Natural Resources & Environment

The above notice was read in open session and publicly  
posted as provided by the Rules of Procedure of the  
Convention.

COMMITTEE NOTICE
Delegate James L. Stovall, chairman of the Committee on  
Rules, Credentials and Ethics, sent up the following  
otice:

The Committee on Rules, Credentials and Ethics will  
meet on Thursday, July 12, after adjournment in Committee  
Rm. 1 and will consider the following agenda:

AGENDA
CR 3, 5, 7, DR 22

Respectfully submitted,
DELEGATE JAMES L. STOVALL  
Chairman of the Committee on  
Rules, Credentials and Ethics

The above notice was read in open session and publicly  
posted as provided by the Rules of Procedure of the  
Convention.

COMMITTEE NOTICE
Delegate B. B. Rayburn, chairman of the Committee on  
Revenue, Finance and Taxation, sent up the following  
otice:

The Committee on Revenue, Finance and Taxation will  
meet on Thursday, July 12, 1973, at 9:00 o'clock in Com. Rm.  
5, State Capitol and will consider the following agenda:

AGENDA
Continuation of consideration of property taxes.

Respectfully submitted,
DELEGATE B. B. RAYBURN  
Chairman of the Committee on  
Revenue, Finance & Taxation

The above notice was read in open session and publicly  
posted as provided by the Rules of Procedure of the  
Convention.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and  
Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will  
meet on Thursday, July 12, at 10:00 a.m. o'clock in Com- 
mittee Rm. 9 and will consider the following agenda:

AGENDA
Proposals referred to the Committee.

Respectfully submitted,
DELEGATE C. O. PEREZ  
Chairman of the Committee on  
Local and Parochial Government

The above notice was read in open session and publicly  
posted as provided by the Rules of Procedure of the  
Convention.

COMMITTEE NOTICE
Delegate Tom Stagg, chairman of the Committee on Execu- 
tive Department, sent up the following notice:

The Committee on Executive Department will meet on  
Thursday, July 12, 1973, at 9 a.m. o'clock in Comm. Room 205,  
Capitol and will consider the following agenda:

AGENDA
To continue consideration of Proposals referred to Com- 
ittee.

Respectfully submitted,
DELEGATE TOM STAGG  
Chairman of the Committee on  
Executive Department

The above notice was read in open session and publicly  
posted as provided by the Rules of Procedure of the  
Convention.

Leave of Absence
Delegate Cannon—Indefinite.  
Delegate J. Jackson 1—Day.  
Delegate Dennis 3—Days.

Adjournment
Delegate Rayburn moved that the Convention do now adj- 
journ until Thursday, July 12, 1973 at 4:00 o'clock P.M.  
Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to  
Thursday, July 12, 1973 at 4:00 o'clock P.M.

MOISE W. DENNERY  
Secretary
DAVID R. POYNTER  
Chief clerk
The Convention was called to order at four o’clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

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ABSENT

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The Chairman announced that there were 122 members present and a quorum.

Prayer

Prayer was offered by Delegate Abraham.

Pledge of Allegiance

Delegate Bergeron led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Weiss, the reading of the Journal was dispensed with.

On motion of Delegate Weiss, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

Delegate Cecil R. Blair, chairman, on behalf of the Committee on Legislative Powers and Functions, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Legislative Powers and Functions to submit the following report:

COMMITTEE PROPOSAL No. 3—

Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBreton and O’Neill:

A PROPOSAL

Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Reported with amendments.

Respectfully submitted,

CECIL R. BLAIR,
Chairman.

Suspension of the Rules

On motion of Delegate Blair the rules were suspended in order to take up the proposal contained in the report at this time.

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled proposals on second reading reported by committees were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 3—

Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBreton and O’Neill:

A PROPOSAL

Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Reported with the following amendments by the Committee on Legislative Powers and Functions.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Legislative Powers and Functions to Committee Proposal No. 3 by Delegate Blair, et al.

Amend printed proposal as follows:
AMENDMENT No. 1—
On page 1, delete lines 21 through 28 in their entirety and insert in lieu thereof the following:
"Section 2. (A) The legislature shall meet in regular annual sessions. In each year the regular session shall extend for a period of not more than fifty legislative days. The legislature shall convene at twelve o'clock noon on the fourth Monday in April of each year, or to not exceed five calendar days. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the first calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the second Monday in May, at which time the legislature shall reconvene for not to exceed fifty legislative days, which shall not extend in any year beyond sixty calendar days following the second Monday in May. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings, but shall take no vote with respect to any bill or resolution referred to them. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the third Monday in May of each year."

AMENDMENT No. 2—
On page 1, at the end of line 28, add the following:
"A legislative day is a calendar day on which either house of the legislature is in session."

AMENDMENT No. 3—
On page 1, line 30, immediately after the words and punctuation "Governor or," strike out the word "at" and insert in lieu thereof "shall be convened upon"

AMENDMENT No. 4—
On page 2, line 1, immediately after the word "proclama-
tion" and before the word "convening" insert the following: "at least five days prior to"

AMENDMENT No. 5—
On page 2, line 17, place a semicolon ";" immediately after the word "Vacancies" and add the word "Salary"

AMENDMENT No. 6—
On page 2, at the end of line 18, strike out "his elec-
to" and at the beginning of line 19, strike out "lion has" and insert in lieu thereof the following: "the general election shall have"

AMENDMENT No. 7—
On page 2, line 21, after the words "time of" strike out "his election has" and insert in lieu thereof the following: "the general election shall have"

AMENDMENT No. 8—
On page 2, line 24, immediately after the words "the time of" strike out the words "his election has" and insert in lieu thereof the following: "the general election he shall have"

AMENDMENT No. 9—
On page 2, strike out lines 27 through 29, both inclusive, in their entirety and insert in lieu thereof the following: "immediately preceding the general election. However, at the next regular election for members of the legislature following the reapportionment of the legislature, a person may qualify for election to either house of the legislature from any district created in"

AMENDMENT No. 10—
On page 3, between lines 9 and 10, insert the following:
"(E) The members of the legislature shall be compensated by an annual salary which shall be fixed by a majority vote of the elected members of each house of the legislature. The amount fixed may be changed only by two-thirds of the elected members of each house of the legislature, to be effective at a term other than that for the members presently serving."

AMENDMENT No. 11—
On page 4 at the end of line 14, add the following:
"The clerical officers of the two houses shall be the clerk of the House of Representa-
tives and the secretary of the Senate, each of whom shall have the power to administer oaths."

AMENDMENT No. 12—
On page 5, line 5, immediately after "is a" delete the words "written, printed, or oral"

AMENDMENT No. 13—
On page 5, line 6, change the period "." after the word "to" to a comma "," and add the following:
"with said yeas and nays being published in the journal."

AMENDMENT No. 14—
On page 5, delete lines 22, 23 and 24 in their entirety and insert in lieu thereof the following:
"Section 11. Except as otherwise provided in this constitu-
tion, salaries of public officials may be changed only by two-thirds vote of the members of each house of the legislature:..."

AMENDMENT No. 15—
On page 6, after the words "continuity of" and before the word "government" add the word "state"

AMENDMENT No. 16—
On page 6, at the end of line 29, strike out the word "and" and strike out line 30 in its entirety and insert in lieu thereof the following:
"except by a bill, and shall propose no amendment to the constitution except by a joint resolution, which shall be processed as a bill."

AMENDMENT No. 17—
On page 7, delete lines 7 and 8 and insert in lieu thereof the following:
"(C) No bill shall be amended in its passage through either house so as to make a change not germane to the bill as originally intro-
duced."

AMENDMENT No. 18—
On page 8, line 23, place a comma "," immediately after the word "bill" and insert "except a joint resolution."

AMENDMENT No. 19—
On page 9, delete lines 4 through 10, both inclusive, in their entirety and insert in lieu thereof the following:
"(C) The legislature shall meet in veto session at the seat of government at twelve o'clock noon on the thirty-fifth day following the sine die adjournment of the most recent session of the legislature for the purpose of considering all measures vetoed by the governor, except that if such day falls on a Sunday the session shall convene at noon on the next day, Saturday. No veto session shall exceed five calendar days in length, and any veto session may be adjourned sine die prior to the end of the fifth day upon the vote of two-thirds of the elected members of each house.

No veto session shall be held if a simple majority of the elected members of either or both houses indicate in writing that a veto session is not necessary. Such written notice must be received by the presiding officer of the respective houses at least two days prior to the day on which the veto session is to convene."

AMENDMENT No. 20—
On page 10, delete lines 3 and 4, both inclusive, in their entirety and insert in lieu thereof the following:
"(B) All impeachments shall be by the House of Repre-
sentatives and shall require the favorable vote of at least a majority of the elected members thereof. Impeachments shall be tried by the Senate. Two-thirds"

AMENDMENT No. 21—
On page 10, at the beginning of line 12, strike out the word "proceedings."

AMENDMENT No. 22—
On page 10, delete lines 13 and 14, both inclusive, in their entirety and insert in lieu thereof the following:
"acting governor, and the appointing authority shall make an interim appointment until decision of impeachment."

AMENDMENT No. 23—
On page 10, between lines 14 and 15, add the following new section:
"Section 25. Removal on Address by Legislature
Section 25. For any reasonable cause, whether or not suffi-
cient for impeachment, upon the address of two-thirds of
the members elected to each house of the legislature and
after a public hearing by the committee of the whole in
each house, any officer except the governor or acting gov-
ernor may be removed from office. Any officer so removed
shall be ineligible to succeed himself. The cause or causes
for which such removal is made shall be stated at length in
the address."

AMENDMENT No. 24—
On page 10, at the beginning of line 15, change "Section
25," to "Section 26."

AMENDMENT No. 25—
On page 16, delete line 17 in its entirety and insert in lieu
thereof the following:
"Section 26. For the causes enumerated in Paragraph (A)
of Section 24 of this Article, the legislature shall by general
law provide for the removal"

AMENDMENT No. 26—
On page 10, at the beginning of line 21, change "Section 26."
to "Section 27."

AMENDMENT No. 27—
On page 10, at the beginning of line 22, change "Section
26."
to "Section 27."

AMENDMENT No. 28—
On page 10, line 22, after the word "provide" and be-
fore the word "for" add the words "by general law"

On motion of Delegate Blair the amendments were
adopted and ordered engrossed.

On motion of Delegate Blair, and under a suspension of
the rules, the proposal, as amended, was ordered reen-
grossed and passed to its third reading.

Reports of Committees, Continued

The following reports of committees were received and
read:

Delegate Stagg, chairman, on behalf of the Committee on
the Executive Department, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973

To the Chairman and Delegates of the Constitutional
Convention:

I am directed by your Committee on the Executive De-
partment to submit the following report:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the
Committee on Executive Department:
A PROPOSAL
Providing for the executive branch of government, for the
filling of vacancies in certain public offices, and with
respect to dual office-holding a code of ethics, and im-
peachment.

Reported with amendments.

Respectfully submitted,

TOM STAGG
Chairman.

Introduction of Proposals

The following named delegates and committees intro-
duced the following entitled Delegate and Committee Pro-
posals which were read by their titles and placed on the
Calendar for their second reading.

DELEGATE PROPOSAL No. 7—
Introduced by Delegate Burns:
A PROPOSAL
Making provisions for gambling, futures of agricultural
products, and lotteries and necessary provisions with
respect thereto.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 8—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions
with respect thereto.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 9—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions
with respect thereto.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 10—
Introduced by Delegate Juneau:
A PROPOSAL
Making provisions for education and necessary provisions
with respect thereto.

Read.

Lies over under the rules.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals
on second reading to be referred to committees were taken
up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 6—
Introduced by Delegate Weiss:
A PROPOSAL
Making general provisions for elections.

Read.

Under the rules the above proposal was referred to the
Committee on Bill of Rights and Elections.

Motion

On motion of Delegate Duval the Order of Business was
altered to take up Introduction of Resolutions at this time.

Introduction of Proposals

The following named delegates and committees introduced
the following entitled Delegate and Committee Proposals
which were read by their titles and placed on the Calendar
for their second reading.

DELEGATE PROPOSAL No. 11—
Introduced by Delegate Duval:
A PROPOSAL
For prohibition against dual officeholding.

Read.

Lies over under the rules.

COMMITTEE NOTICE

Delegate Lambert, chairman of the Committee on Natural
Resources and Environment, sent up the following notice:

The Committee on Natural Resources and Environment
will meet on Wednesday, July 18, 1973, at 9:00 o'clock in
13th Days Proceedings—July 12, 1973

the Senate Lounge, State Capitol and will consider the following agenda:

AGENDA
Referred Committee Proposals.

Respectfully submitted,

LOUIS LAMBERT,
Chairman of the Committee on
Natural Resources and Environment

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Adjournment

Delegate Rayburn moved that the Convention do now adjourn until Friday, July 13, 1973 at 9:30 A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, July 13, 1973 at 9:30 A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

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Fourteenth Day's Proceedings

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972 Regular Session of the Legislature


The Convention was called to order at 9:30 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

Roll Call

The roll being called, the following delegates answered to their names:

Present

Delegates—
Mr. Chairman
Abraham
Aerker
Alario
Alexander
Anzalone
Armentor
Arnette
Asseo
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Brien
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Coven
D'Gerolamo
De Blieux
Dennery
Dernes
Deshotels
Drew
Duaslap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Powder
Fulco

Gauthier
Giarrusso
Ginn
Gravel
Grier
Guarisco
Hayes
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Junau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
LeBlanc
Leigh
Leibman
Lennox
Lowe
McDaniel
Martin
Mauberret
Miller
Mire
Monson
Newton
Nunez
O'Neill
Ourso
Perez
Perkins
Planchard

Rachal
Rayburn
Reeves
Riecke
Robinson
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Taylor
Thistlethwaite
Thompson
Tobias
Toca
Tommy
Triche
Ulio
Velazquez
Vescih
Vick
Wall
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Absent

Delegates—
Avant
Cannon

Dennis
Guidry

Leiner
LeBreton

Total—7.

The Chairman announced that there were 125 members present and a quorum.

Prayer

Prayer was offered by Delegate Klipartick.

Pledge of Allegiance

Delegate Giarrusso led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate A. Landry, the reading of the Journal was dispensed with.

On motion of Delegate A. Landry, the Journal of yesterday was adopted.

Morning Hour

Introduction of Resolutions
Delegate and Convention

The following named Delegates and committees introduced the following entitled Delegate and Committee Resolutions which were read by their titles and placed on the Calendar for their second reading.

Delegate Resolution No. 26—

Introduced by Delegates Jutras, Fayard, Casey and Kelly:

A RESOLUTION

Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Read.

Lies over under the rules.

Reports of Committees

The following reports of the committees were received and read:

Delegate Stovall, chairman, on behalf of the Committee on Rules, Credentials, and Ethics, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Rules, Credentials, and Ethics to submit the following report:

Committee Resolution No. 5—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A Resolution

Amending Rule No. 44 of the Standing Rules of the Constitutional Convention to clarify the requirement with respect to the readings on three different days.

Reported with amendments.

Committee Resolution No. 7—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A Resolution

Relative to amending the Standing Rules of the Constitutional Convention to provide for submission of minority proposals.

Reported with amendments.

Delegate Resolution No. 22—

Introduced by Delegate O'Neill:

A Resolution

To amend and readopt Paragraph B of Rule No. 62 of the...
Standing Rules of the Constitutional Convention relative to the notice required for committee meetings.
Reported unfavorably.

DELEGATE RESOLUTION No. 24—
Introduced by Delegate Abraham:
A RESOLUTION
Relative to explanation of Substantive Committee Proposals.
Reported unfavorably.

Respectfully submitted,
JAMES T. STOVALL,
Chairman.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 7—
Introduced by Delegate Burns:
A PROPOSAL
Making provisions for gambling, futures of agricultural products, and lotteries and necessary provisions with respect thereto.

Read.

Under the rules the Chair ruled that the proposal should be referred to the Committee on Revenue, Finance and Taxation.

Delegate Stovall objected and moved that the proposal be referred to the Committee on Education and Welfare.

As a substitute Delegate Rayburn moved that the proposal be referred to the Committee on Legislative Powers and Functions.

The vote recurred on the substitute motion.

By a vote of 77 yeas and 48 nays the proposal was referred to the Committee in Legislative Powers and Functions.

DELEGATE PROPOSAL No. 8—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 9—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 10—
Introduced by Delegate Jurney:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 11—
Introduced by Delegate Duval:
A PROPOSAL
For prohibition against dual officeholding.

Read.

Under the rules the above proposal was referred to the Committee on Executive Department.

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled proposals on second reading reported by committees were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:
A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Reported with the following amendments by the Committee on Executive Department.

COMMITTEE AMENDMENT

Amendment proposed by Committee on the Executive Department to Committee Proposal No. 4 by Delegate Stagg, et al on behalf of the Committee on the Executive Department.

Amend original proposal as follows:

AMENDMENT No. 1—
On page 11, line 26 after the word "shall" and before the word "prevent" delete the words "be construed to"

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Executive Department to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 1, at the beginning of line 2, delete the word "introduced" and insert in lieu thereof the word "introd-

AMENDMENT No. 2—
On page 1, line 3, after the word "Department" delete the colon ";" and add the following:

"and Delegates Abraham, Alexander, Arnette, Brian, Den-

AMENDMENT No. 3—
On page 1, line 11, after the word "EXECUTIVE" delete the word "DEPARTMENT" and insert in lieu thereof the word "BRANCH"

AMENDMENT No. 4—
On page 1, line 13, after the word "of" delete the word "a" and insert in lieu thereof the word "the"

AMENDMENT No. 5—
On page 1, line 19, after the word "powers," and before the word "duties" delete the word "and"

AMENDMENT No. 6—
On page 1, line 19, after the word "duties" and before the word "and" insert a comma ","

AMENDMENT No. 7—
On page 1, line 21, after the word "allocated" and before the word "according" insert a comma ","

AMENDMENT No. 8—
On page 2, line 5, before the word "for" delete the word "statewide"

AMENDMENT No. 9—
On page 2, line 11, after the word "and" and before the word "promulgated" delete the word "be"
AMENDMENT No. 10—
On page 2, line 12, after the word "as" and before the word "be" delete the word "may" and insert in lieu thereof the word "shall"

AMENDMENT No. 11—
On page 2, line 15, after the word "equal" and before the word "and" delete the comma ";"

AMENDMENT No. 12—
On page 2, line 17, after the word "the" and before the period "." delete the word "result" and insert in lieu thereof the word "winner"

AMENDMENT No. 13—
On page 2, line 20, after the period "." delete the remainder of the line

AMENDMENT No. 14—
On page 3, line 10, delete the line in its entirety

AMENDMENT No. 15—
On page 3, line 10, after the word "shall" and before the word "at" insert a comma ";"

AMENDMENT No. 16—
On page 3, delete lines 15 through 19, both inclusive, in their entirety and insert in lieu thereof the following:
"(C) Reports and Information. Any department head shall provide the governor with reports and information, in writing or otherwise, when requested by him on any subject relating to such department, excepting matters relating to investigations of the governor's office."

AMENDMENT No. 17—
On page 3, line 27, after the word "exceed" and before the word "annual" insert the word "anticipated"

AMENDMENT No. 18—
On page 3, line 27, after the word "as" and before the word "by" delete the word "anticipated" and insert in lieu thereof the word "projected"

AMENDMENT No. 19—
On page 4, line 15, after the word "he" and before the comma ";" delete the word "approved" and insert in lieu thereof the word "approves"

AMENDMENT No. 20—
On page 4, line 19, after the word "time" and before "pro" delete the word "otherwise"

AMENDMENT No. 21—
On page 5, line 7, after the word "confirm" insert a comma ";" and delete the remainder of the line

AMENDMENT No. 22—
On page 5, at the beginning of line 8, delete the word "ment"

AMENDMENT No. 23—
On page 5, line 8, after the word "session" and before the word "shall" insert a comma ";"

AMENDMENT No. 24—
On page 5, line 8, after the word "shall" delete the remainder of the line and insert in lieu thereof "constitute rejection of the appointment."

AMENDMENT No. 25—
On page 5, line 9, delete the line in its entirety

AMENDMENT No. 26—
On page 5, line 11, after the word "appointments" and before the word "which" insert a comma ";"

AMENDMENT No. 27—
On page 6, line 8, at the end of the line delete the word "extra-" and insert in lieu thereof the word "extra-

AMENDMENT No. 28—
On page 6, line 14, after the word "member" and before the word "committee" delete the words "on every" and insert in lieu thereof the words "of each"

AMENDMENT No. 29—
On page 6, at the end of line 23, add a semicolon ";" and delete line 24 in its entirety and on line 25 delete the following:
"or as may be provided by statute;"

AMENDMENT No. 30—
On page 6, line 29, after the word "archives" and before the word "of" delete the words "and records"

AMENDMENT No. 31—
On page 6, line 31, immediately after "legislature" add the word "and" and on line 32, after the word "same" change the semicolon ";" to a period "." and immediately before the word "administer" add the words "He may"

AMENDMENT No. 32—
On page 7, line 1, after the word "oaths" change the period ";" to a comma "," and immediately before the word "shall" delete the word "He" and insert in lieu thereof the word "and"

AMENDMENT No. 33—
On page 7, line 30, immediately after the word "shall" and before the word "appoint" delete the word "each"

AMENDMENT No. 34—
On page 8, line 12, after "(6) the " and before the words "of the House" delete the word "speaker" and insert in lieu thereof the words "presiding officer"

AMENDMENT No. 35—
On page 8, line 22, after the word "Statewide" and before the word "Offices" delete the word "Elective" and insert in lieu thereof the word "Elective"

AMENDMENT No. 36—
On page 8, line 28, after "Section 14. (A)" and before the words "No other" delete the word "Where" and insert in lieu thereof the word "Should" and at the end of the line delete the word "is" and insert in lieu thereof the word "be"

AMENDMENT No. 37—
On page 8, at the beginning of line 31, delete the word "charger" and insert in lieu thereof the word "charter"

AMENDMENT No. 38—
On page 9, at the end of line 15, delete the word "Disability" and insert in lieu thereof the word "Inability"

AMENDMENT No. 39—
On page 9, at the end of line 17, delete the word "speaker" and insert in lieu thereof the words "presiding officer"

AMENDMENT No. 40—
On page 10, line 24, immediately after the word "court" and before the word "under" add a comma ","

AMENDMENT No. 41—
On page 11, delete lines 7 through 32, both inclusive, in their entirety and on page 12, delete line 1 in its entirety

AMENDMENT No. 42—
On page 12, between lines 1 and 2, insert the following:
"Section 19. Reorganization

Section 19. The governor may propose to the legislature, or on or before the first day of any session, a plan of reorganization of the functions, powers, duties, and responsibilities of all departments, offices, agencies, and other instrumentalities of the executive branch, excepting those functions, powers, duties, and responsibilities allocated by this constitution, among and within not more than twenty departments. The legislature, by a majority vote of the elected members of each house, may disapprove such plan, but may not substantively amend it."

AMENDMENT No. 43—
On page 12, line 2, after the word "Section" delete the numeral "21" and insert in lieu thereof the numeral "20"

AMENDMENT No. 44—
On page 12, line 3 after the word "Section" delete the numeral "21" and insert in lieu thereof the numeral "20"

AMENDMENT No. 46—
On page 12, delete lines 18 through 32, both inclusive, in their entirety
AMENDMENT No. 47—
On page 13, delete lines 1 through 8, both inclusive, in their entirety.

On motion of Delegate Stagg the amendments by the Committee on Executive Department were adopted.

On motion of Mr. Stagg the proposal was ordered engrossed.

Under the rules, referred to the Committee on Style and Drafting.

Proposals on Third Reading and Final Passage
The following entitled proposal was taken up on its third reading and final passage:

COMMITTEE PROPOSAL No. 3—
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Section 1. Legislative Power of State: Vesting: Continuous Body
Section 1. (A) The legislative power of the state is vested in a legislature, consisting of a Senate and a House of Representatives.

(B) The legislature shall be a continuous body during the term for which its members are elected.

Read.

Delegate Conroy sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Conroy, Landrum, Newton, Schmitt, Zervigon, Taylor, Valazquez, J. Jackson, A. Jackson and Rachal to Committee Proposal No. 3 by Delegates Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, after the word "Senate" delete the remainder of the line and delete line 17 in its entirety and insert in lieu thereof the following:

"composed of one senator elected from each senatorial district and a House of Representatives composed of one representative elected from each representative district."

Delegate Conroy moved the adoption of the amendment.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

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NAYS

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And the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alexander sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Alexander to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 15 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. (A) The legislature shall be composed of a single chamber consisting of one member to represent each legislative district."

Delegate Alexander moved the adoption of the amendment.

Delegate Casey objected.

By a vote of 7 yeas and 115 nays the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Vice-Chairman Miller in the Chair
Delegate Flory sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Flory to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, delete lines 18 and 19 in their entirety. Delegate Flory moved the adoption of the amendment.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

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Total-12.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair

Delegate Perez sent up floor amendments which were read as follows:

AMENDMENT proposed by Delegate Perez and Kilpatrick to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 19, delete the period "." and add the following:

" provided that bills and resolutions not finally passed by both houses in any session of the legislature shall be automatically withdrawn from its files."

Delegate Perez moved the adoption of the amendment.

Delegate Singletary objected.

By a vote of 89 yeas and 0 nays the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 1, was read as amended. Delegate Fayard moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

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<th>DELEGATES</th>
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<td>Womack</td>
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And the Chair declared that the above Section was passed.
Delegate Fayard moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 2. Sessions: Annual, Extraordinary
Section 2. (A) The legislature shall meet in regular annual sessions. In each year the regular session shall extend for not more than fifty-five legislative days. The legislature shall convene at twelve o’clock noon on the fourth Monday in April of each year for not to exceed five calendar days. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the fifth calendar day the legislature shall adjourn and stand in recess until twelve o’clock noon on the second Monday in May, at which time the legislature shall convene for not to exceed fifty legislative days, which shall not extend in any year beyond sixty calendar days following the second Monday in May. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings, but shall take no vote with respect to any bill or resolution referred to them. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the third Monday in May of each year.

The legislature is a calendar day on which either house of the legislature is in session.

(B) The legislature may be convened at other times by the governor or, shall be convened upon the written request of a majority of the elected members of each house, by the presiding officers of both houses. The governor or the presiding officers of both houses, as the case may be, shall issue a proclamation at least five days prior to convening the legislature into extraordinary session. The proclamation shall state the object or objects for convening the legislature in extraordinary sessions the date on which the legislature is to be convened, and the number of days for which the legislature is convened. The powers to legislate under the penalty of nullity shall be limited to the objects specifically enumerated in the proclamation convening the extraordinary session, and the session shall be limited to the number of days named therein, which shall never exceed thirty calendar days.

Read.

Delegate Rayburn sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendments proposed by Delegate Rayburn, Kilpatrick, Casey, Fulco, Ginn, Juneau, Alario, Mauberret, Leithman, Planche, Nunez, Fowler, Womack, Munson, Winchester, Toomy, Chehardy, DeGeronimo, Mire, Thompson, Edwards, Singletary to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 21 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

Section 2. (A) The legislature shall meet annually in regular session for not more than sixty legislative days, which need not be consecutive, but no regular session shall continue beyond eighty calendar days after convening. The legislature shall convene at twelve o’clock noon on the fourth Monday in April of each year. No new matter intended to have the effect of law shall be introduced or received by either house of the legislature after midnight of the nineteenth calendar day of the session, except by a favorable record vote of two-thirds of the elected members of each house. A legislative day is a calendar day on which either or both houses are in session.

AMENDMENT No. 2—

On page 2, delete lines 1 through 9, both inclusive, in their entirety.

Motion

Delegate O'Neill moved that the Convention resolve it-
the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Newton sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Newton to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 21 through 32, both inclusive, in their entirety and on page 2, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. (A) The legislature shall meet annually in regular session convening at twelve o'clock noon on the fourth Monday in April for such term and under such conditions as may be provided by law."

**AMENDMENT No. 2—**

On page 2, delete line 10 in its entirety and insert in lieu thereof the following:

"(B) During such times as the legislature is not convened in regular session, it may be convened by the"

**AMENDMENT No. 3—**

On page 1, strike out in their entirety, Amendments No. 1 and Amendment No. 2, proposed by Mr. Rayburn and adopted by the Convention on July 13, 1973.

Delegate Newton moved the adoption of the amendments.

Mr. Champagne objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
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<tr>
<th>Delegates—</th>
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<tr>
<td>Abraham</td>
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<td>Anzalone</td>
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<td>Badeaux</td>
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<td>De Bieieux</td>
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<td>Drew</td>
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<td>Dunlap</td>
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**NAYS**

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<th>Delegates—</th>
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<tbody>
<tr>
<td>Alario</td>
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<td>Alexander</td>
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<td>Derbes</td>
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<tr>
<td>Edwards</td>
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<tr>
<td>Ekins</td>
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</tbody>
</table>

| Smith      | Taylor         |
| Stagg      | Thompson       |
| Stephenson | Tobias         |
| Stinson    | Toomy          |
| Sullivant  | Ullo           |
| Sutherland | Vesich         |
| Tapper     | Vick           |

**ABSENT**

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<th>Delegates—</th>
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<tr>
<td>Mr. Chairman</td>
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<td>Aertker</td>
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<td>Armentor</td>
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<tr>
<td>Arnette</td>
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<tr>
<td>Avant</td>
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<tr>
<td>Burson</td>
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<td>Total—17.</td>
</tr>
</tbody>
</table>

And the amendments were rejected.

Delegate Champagne moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Abraham to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 21 through 32, both inclusive, in their entirety and on page 2, delete lines 1 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. (A) The legislature shall meet annually in regular annual sessions as provided by law."

**AMENDMENT No. 2—**

Strike out in their entirety Amendment No. 1 and No. 2 proposed by Mr. Rayburn and adopted by the Convention on July 13, 1973.

Delegate Abraham moved the adoption of the amendments.

Delegate Blair objected.

By a vote of 15 yeas and 96 nays the amendments were rejected.

Delegate Blair moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Jenkins, Stinson and Flory to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, at the end of line 9, insert the following:

"During any regular annual session held in an odd-numbered year, no measures levying new taxes, increasing existing taxes or repealing tax exemptions shall be introduced or enacted."

Delegate Jenkins moved the adoption of the amendments.

Delegate Wall objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
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<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Alario</td>
</tr>
<tr>
<td>Anzalone</td>
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<tr>
<td>Asseff</td>
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<tr>
<td>Bel</td>
</tr>
</tbody>
</table>

| Smith      | Taylor         |
| Stagg      | Thompson       |
| Stephenson | Tobias         |
| Stinson    | Toomy          |
| Sullivant  | Ullo           |
| Sutherland | Vesich         |
| Tapper     | Vick           |

<table>
<thead>
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<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Aertker</td>
</tr>
<tr>
<td>Armentor</td>
</tr>
<tr>
<td>Arnette</td>
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<tr>
<td>Avant</td>
</tr>
<tr>
<td>Burson</td>
</tr>
<tr>
<td>Total—17.</td>
</tr>
</tbody>
</table>

155
And the amendment was rejected.

Delegate Wall moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Weiss sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Weiss to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, in Delegate Amendment No. 1, proposed by Delegate Rayburn, et al and adopted by the convention on July 13, 1973, delete lines 3, 4, and 5 of said amendment in their entirety and insert in lieu thereof the following: “calendar days. The legislature shall con-”

**AMENDMENT No. 2**

On page 1, in Delegate Amendment No. 1, proposed by Delegate Rayburn, et al and adopted by the convention on July 13, 1973, at the end of line 9, delete “nin, .” and at the
Committee Resolution No. 9—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, Flory, Haynes, McDaniel, Mire, Sandoz, Shannon, Singletary, Stagg, Velazquez and Warren:

A RESOLUTION
To adopt standing rules to regulate the use of duplicating equipment and the distribution of materials to delegates while in session.

Read.

Lies over under the rules.

Delegate Resolution No. 27—

Introduced by Delegate James H. Brown, Jr.:

A RESOLUTION
To extend greetings and commendations to the surviving delegates of the Louisiana Constitutional Convention of 1921 and to request their assistance and advice in the work of this convention.

Read.

Lies over under the rules.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

July 13, 1973

Chairman E. L. "Bubba" Henry and Delegates to the Constitutional Convention

The delegates to the Student Constitutional Convention wish to thank you and the Convention for the overwhelming help and consideration given to us. This has been such a great learning experience which we, the future leaders of our State, need. In writing our Constitution, we hope that we have contributed to the Constitutional Convention. We wish to express our sincere appreciation to all Delegates who spoke to us. They gave us the insight to what the State of Louisiana needs.

Again, we thank you.

Sincerely yours,

BOBBY WARD
The Delegates to the Student Constitutional Convention

Committee Notice

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, July 19, at 9:00 o'clock in House Committee Room 5 and will consider the following agenda:

AGENDA
Consideration of Committee Proposals 11, 12, 13, and 14 and Delegate Proposal 8.

Respectfully submitted,

ROBERT J. AERTKER
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Committee Notice

Delegate Stagg, chairman of the Committee on Executive Department, sent up the following notice:

The Committee on the Executive Department will meet on Thursday, July 19, and Friday, July 20, 1973, at 9 a.m. o'clock in Room 206, State Capitol Building and will consider the following agenda:

AGENDA
1. Mandatory Reorganization (to be included in the Schedule of the constitution)
2. Public Service Commission (Committee Proposal No. 5)
3. Board of Ethics
4. Dual Office-Holding

Respectfully submitted,

TOM STAGG,
Chairman of the Committee on Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Committee Notice

Notice of Cancellation of Meeting

Delegate Lambert, chairman of the Committee on Natural Resources and Environment, sent up the following notice:

The Committee on Natural Resources and Environment scheduled to be held on Wednesday, July 18, at 9:00 o'clock in the Senate Lounge is hereby cancelled and rescheduled for Thursday, July 19.

Respectfully submitted,

LOUIS J. LAMBERT,
Chairman of the Committee on Natural Resources and Environment

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Committee Notice

Notice of Change of Place

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Wednesday, July 18, at 9:00 a.m. o'clock in House Committee Room 5 and will consider the following agenda:

AGENDA
To continue consideration of proposals referred to the Committee.

Respectfully submitted,

B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Committee Notice

Notice of Change of Place

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Wednesday, July 18, 1973, at 9:00 o'clock in House Committee Room 3 and will consider the following agenda:

AGENDA
To continue consideration of proposals referred to the Committee.

Respectfully submitted,

C. O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Committees Notice

Leave of Absence

Delegate Lanier 2 Days.
Adjournment

Delegate Abraham moved that the Convention do now adjourn until Saturday, July 14, 1973 at 9:00 A.M.

As a substitute, Delegate Segura moved that the Convention do now adjourn until Wednesday, July 18, at 1:00 p.m.

Mr. Abraham objected.

And the vote recurred on the substitute motion.

By a vote of 27 yeas and 79 nays the Convention refused to adjourn until Wednesday, July 18, at 1:00 p.m.

As a further substitute Mr. Kean moved that Convention adjourn until Saturday, July 14, at 9:30 a.m.

By a vote of 79 to 18 the motion agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, July 14, 1973, at 9:30 o'clock a.m.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
PRAYER

Prayer was offered by Delegate Weiss.

PLEDGE OF ALLEGIANCE

Delegate Slay led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

READING OF THE JOURNAL

On motion of Delegate Abraham, the reading of the Journal was dispensed with.

On motion of Delegate Abraham, the Journal of yesterday was adopted.

MOTION

On motion of Delegate Burns the rules were suspended in order to correct the Official Journal of July 13, 1973 in order that he be recorded as voting “yes” on the amendment proposed by Delegate Conroy, et al, to Committee Proposal No. 3 by Delegate Blair, et al, and adopted on July 13, 1973.

RESOLUTIONS ON SECOND READING AND REFERRAL

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

COMMITTEE RESOLUTION No. 9—
Intended by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegate Arnette, Bel, Bollinger, Corne, Elkins, Flory, Haynes, McDaniel, Mire, Sandez, Shannon, Singletary, Stagg, Velazquez and Warren.

A RESOLUTION
To adopt standing rules to regulate the use of duplicating equipment and the distribution of materials to delegates while in session.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 20—
Intended by Delegates Juneau, Fayard, T. Casey and Kelly:

A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 27—
Intended by Delegate James H. Brown, Jr.:

A RESOLUTION
To extend greetings and commendations to the surviving delegates of the Louisiana Constitutional Convention of 1921 and to request their assistance and advice in the work of this convention.

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

Delegate and Committee Resolutions on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

COMMITTEE RESOLUTION No. 5—
Intended by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION
Amending Rule No. 44 of the Standing Rules of the Con-
institutional Convention to clarify the requirement with respect to the readings on three different days.

Read.

Reported with the following amendments by the Committee on Rules, Credentials and Ethics:

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Rules, Credentials and Ethics to Committee Resolution No. 5 by Delegate Stovall, et al.

Amend printed Resolution as follows:

**AMENDMENT No. 1**—
On page 1, delete line 31 in its entirety

**AMENDMENT No. 2**—
On page 1, line 32, at the beginning of the line change the letter "G" to "F"

**AMENDMENT No. 3**—
On page 2, line 1, at the beginning of the line change the letter "H" to "G"

**AMENDMENT No. 4**—
On page 2, line 2, at the beginning of the line change the letter "I" to "H"

**AMENDMENT No. 5**—
On page 2, line 3, at the beginning of the line change the letter "J" to "I"

**AMENDMENT No. 6**—
On page 2, line 4, at the beginning of the line change the letter "K" to "J"

**AMENDMENT No. 7**—
On page 2, line 5, at the beginning of the line change the letter "L" to "K"

On motion of Delegate Stovall the amendments were adopted.

Ordered engrossed and passed to its third reading.

**COMMITTEE RESOLUTION No. 7**—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics, and Delegates Arnette, Bel, Bollinger, Cornc, Elkins, McDaniel, Mire, Singletary, Valaszek and Warner:

A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide for submission of minority proposals.

Read.

Reported with the following amendments by the Committee on Rules, Credentials and Ethics:

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Rules, Credentials and Ethics to Committee Resolution No. 7 by Delegate Stovall, et al.

Amend printed Resolution as follows:

**AMENDMENT No. 1**—
On page 1, line 22, after the word "committee" delete the word "shall" and insert in lieu thereof the word "may"

**AMENDMENT No. 2**—
On page 1, line 27, after the word "a" and before the word "committee" insert the word "minority"

On motion of Delegate Stovall the amendments were adopted.

Ordered engrossed and passed to its third reading.

**DELEGATE RESOLUTION No. 22**—
Introduced by Delegate O'Neill:

A RESOLUTION
To amend and readopt Paragraph B of Rule No. 62 of the Standing Rules of the Constitutional Convention, relative to the notice required for committee meetings.

Read.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Stovall the resolution was withdrawn from the files of the Convention.

**DELEGATE RESOLUTION No. 24**—
Introduced by Delegate Abraham:

A RESOLUTION
Relative to explanation of Substantive Committee Proposals.

Read.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Abraham the resolution was withdrawn from the files of the Convention.

**Unfinished Business**

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposal Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 2**—
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Gin, Junaye, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Section 2. Sessions; Annual, Extraordinary

Section 2. (A) The legislature shall meet in regular annual sessions. In each year the regular session shall extend for not more than fifty-five legislative days. The legislature shall convene at twelve o'clock noon on the fourth Monday in April of each year for not to exceed five calendar days. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the first calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the second Monday in May, at which time the legislature shall reconvene for not to exceed fifty legislative days, which shall not extend in any year beyond sixty calendar days following the second Monday in May. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings, but shall take no vote with respect to any bill or resolution referred to them. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the third Monday in May of each year. A legislative day is a calendar day on which either house of the legislature is in session.

(B) The legislature may be convened at other times by the governor or, shall be convened upon the written request of a majority of the elected members of each house, by the presiding officers of both houses. The governor or the presiding officers of both houses, as the case may be, shall issue a proclamation at least five days prior to convening the legislature into extraordinary session. The proclamation shall state the object or objects for convening the legislature in extraordinary sessions, the date on which the legislature is to be convened, and the number of days for which the legislature is convened. The power to legislate, under the penalty of nullity, shall be limited to the objects specifically enumerated in the proclamation convening the extraordinary session, and the session shall be limited to the number of days named therein, which shall never exceed thirty calendar days.

Read.
Delegate Riecke sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Riecke, Sutherland, Guarisco, Bel, Lennox to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**—
On page 1, delete lines 21 through 32 in their entirety and insert in lieu thereof the following:  
"Section 2. (A) There shall be regular annual sessions of the legislature. The session shall convene at twelve o'clock noon on the fourth Monday in April of each year for not to exceed fifteen calendar days. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the fifteenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the fifteenth calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the fourth Monday in May, at which time it shall reconvene for not to exceed fifty legislative days, which shall not extend beyond the thirty-first day of July in any year. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings. A legislative day is a calendar day on which either or both houses are in session."

**AMENDMENT No. 2**—
On page 2, delete lines 1 through 9, both inclusive, in their entirety

**AMENDMENT No. 3**—
Strike out Amendments No. 1 and No. 2 proposed by Delegate Rayburn and adopted by the Convention on July 15, 1973.

Delegate Riecke moved the adoption of the amendments.
Delegate Rayburn objected.

By a vote of 52 yeas and 53 nays the amendments were rejected.
Delegate Womack moved to reconsider the vote by which the amendments were rejected and lay the motion to reconsider on the table.
Delegate Triche objected to tabling the motion to reconsider.

By a vote of 47 yeas and 66 nays the Convention refused to table the motion to reconsider.
Delegate Triche insisted upon the motion to reconsider the vote by which the amendments were rejected.
Delegate Womack objected.

By a vote of 70 yeas and 45 nays the vote by which the amendments were rejected was reconsidered.

Therefore, the chair announced that the Convention had before it the question of the adoption of the Floor Amendments proposed by Delegate Riecke, et al. to Committee Proposal No. 3 by Delegate Blair, et al. to wit:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Riecke, Sutherland, Guarisco, Bel, Lennox to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**—
On page 1, delete lines 21 through 32 in their entirety and insert in lieu thereof the following:  
"Section 2. (A) There shall be regular annual sessions of the legislature. The session shall convene at twelve o'clock noon on the fourth Monday in April of each year for not to exceed fifteen calendar days. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the fifteenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the fifteenth calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the fourth Monday in May, at which time it shall reconvene for not to exceed fifty legislative days, which shall not extend beyond the thirty-first day of July in any year. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings. A legislative day is a calendar day on which either or both houses are in session."

**AMENDMENT No. 2**—
On page 2, delete lines 1 through 9, both inclusive, in their entirety

**AMENDMENT No. 3**—
Strike out Amendments No. 1 and No. 2 proposed by Delegate Rayburn and adopted by the Convention on July 15, 1973.

Delegate Riecke moved the adoption of the amendments.
Delegate Womack objected.

Motion
Delegate Tapper moved the previous question on the amendments.
Delegate Chatelain rejected.

By a vote of 53 yeas and 54 nays the Convention refused to order the previous question at this time.

Motion
Delegate Fontenot moved the previous question on the amendments.
Delegate Womack objected.

By a vote of 54 yeas and 55 nays the Convention refused to order the previous question at this time.
Delegate Triche moved the adoption of the amendments.
Delegate Drew objected.

By a vote of 59 yeas and 55 nays the amendments were adopted.
Delegate De Blieux sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1**—
At the end of line 15 of Convention Floor Amendment No. 1 proposed by Mr. Riecke, et al., and adopted by the Convention on July 14, 1973, immediately following the words "for not to exceed" strike out the word "fifty" and insert in lieu thereof "forty-five".

Delegate De Blieux moved the adoption of the amendment.
Delegate Anzalone objected.

By a vote of 17 yeas and 63 nays the amendment was rejected.
Delegate Drew moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Perez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted and reengrossed proposal as follows:

**AMENDMENT No. 1**—
On page 1, in Delegate Amendment No. 1, proposed by
Delegate Riecke et al., and adopted by the convention on July 14, 1973, at the end of line 15, delete the word "fifty" and insert in lieu thereof the word "forty."

AMENDMENT No. 2—
On page 1, in Delegate Amendment No. 1, proposed by Delegate Riecke et al., and adopted by the convention on July 14, 1973, at the beginning of line 17, delete the words "thirty-first" and insert in lieu thereof the words "twenty-first."

Delegate Perez moved the adoption of the amendments.

At the request of Delegate Casey a division of the question was ordered.

Delegate Perez moved the adoption of Amendment No. 1.

Delegate Drew objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Burson
Conino
Conroy
D’Gerolamo
Flory
Fontenot
Helne
Jenkins
Kean
Total—26.

Delegates—
Mr. Chairman
Alario
Alexander
Anzalone
Arnette
Asseff
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Carmouche
Chamagne
Chatelain
Corne
Cown
De Blieux
Dernery
Derbes
Drew
Dunlap
Fayard
Total—74.

Delegates—
Aertker
Armortor
Avant
Brown
Burns
Cannon
Chehardy
Dennis
Deshotels
Duval
Edwards
Total—32.

And the amendment was rejected.

Delegate Drew moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez moved the adoption of amendment No. 2.

Delegate Drew objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Anzalone
Asseff
Burson
Casey
Conino
D’Gerolamo
Dennery
Dunlap
Fiory
Fontenot
Hayes
Total—35.

NAYS
Delegates—
Abraham
Alario
Alexandre
Arnette
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Carmouche
Chamagne
Chatelain
Conroy
Corne
Cown
De Blieux
Derbes
Drew
Fowle
Fulco
Total—63.

ABSENT
Delegates—
Mr. Chairman
Aertker
Armortor
Avant
Brown
Burns
Cannon
Chehardy
Dennis
Deshotels
Duval
Edwards
Total—34.

And the amendment was rejected.

Delegate Drew moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Dennery to Committee Proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed proposal as follows:

AMENDMENT No. 1—
On page 1, in Delegate Amendment No. 1, proposed by
Delegate Riecke et al., and adopted by the convention on July 14, 1973, on line 15, immediately after the word “exceed” delete the word “fifty” and insert in lieu thereof the word “sixty.”

AMENDMENT No. 2—
On page 1, in Delegate Amendment No. 1, proposed by Delegate Riecke et al. and adopted by the convention on July 14, 1973, on line 16, immediately after the word “days,” delete the word “which” and insert in lieu thereof the following:
“including those legislative days during the first fifteen calendar day period, but the session.”

Delegate Dennery moved the adoption of the amendments.

At the request of Delegate Tapper a division of the question was ordered.

Delegate Dennery moved the adoption of Amendment No. 1.

Delegate De Blieux objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alexander—Fulco—Stephenson
Anzalone—Jackson, J.—Thaithewaite
Assiff—Landry, E. J.—Triche
Carmosche—Newton—Velazquez
Casey—Perez—Vick
Corne—Roy—Weiss
Dennery—Sandoz—Zervigon
Drew—Schmitt
Fontenot—Singletary
Fowler—Soniat

Total—28.

NAYS

Delegates—
Abraham—Ginn
Alarjo—Gravel
Arnette—Grier
Badeaux—Guarisco
Bel—Hayes
Bergeron—Haynes
Blair—Heine
Bollinger—Jack
Brien—Jackson, A.
Burson—Jenkins
Champagne—Juneau
Chatelain—Kean
Conino—Kelly
Conroy—Kilbourne
D’Gerolamo—Kilpatrick
De Blieux—Lambert
Derbes—Landry, A.
Dunlap—Leithman
Duval—Lennox
Fayard—Martin
Flory—Mire
Gauthier—Munson
Giarrusso—O’Neill

Total—69.

ABSENT

Delegates—
Mr. Chairman—Cowen—Landrum
Aertker—Dennis—Lanier
Armendor—Deshotels—LeBieu
Avant—Edwards—LeBreton
Brown—Elkins—Leigh
Burns—Guldry—Love
Cannon—Hardee—McDaniel
Chehardy—Hernandez—Mauberret

Miller—Tate—Vesich
Nunez—Taylor—Warren
Ouroso—Thompson—Womack
Segura—Total—35.

And the amendment was rejected.

Delegate De Blieux moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Dennery, and under a suspension of the rules, Amendment No. 2 was withdrawn.

Delegate J. Jackson sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 1, in Delegate Amendment No. 1, proposed by Delegate Riecke et al. and adopted by the convention on July 14, 1973, at the end of line 11, immediately after the word “law” change the period “;” to a semicolon “;” and add the following:
“except bills and resolutions enacted by the favorable vote of two-thirds of the elected members of each house of the legislature, after certification by the governor that there is a necessity for the immediate passage thereof.”

Delegate J. Jackson moved the adoption of the amendment.

Delegate Burson objected.

By a vote of 34 yeas and 61 nays the amendment was rejected.

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Bolinger moved that the Convention recess for a period of 45 minutes.

Delegate Jenkins objected.

By a vote of 28 yeas and 64 nays the Convention refused to suspend the rules at this time.

Motion

Delegate Chatelain moved that the Convention take up other orders of Business.

Delegate Jenkins objected.

By a vote of 28 yeas and 62 nays the Convention refused to take up other Orders of Business at this time.

Delegate Gravel sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:
AMENDMENT No. 1—
Delete Amendment No. 1 proposed by Delegate Riecke, et al. and adopted by the convention on July 14, 1973.

AMENDMENT No. 2—
On page 4, delete lines 21 through 32 in their entirety and insert in lieu thereof the following:
"Section 2. "A" The legislature shall convene each year in regular session at twelve o'clock noon on the first Monday in April for not to exceed ten calendar days. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the tenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the tenth calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the fourth Monday in April which time it shall reconvene for not to exceed fifty legislative days, which shall not extend beyond the thirtieth day of June in any year. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings. A legislative day is a calendar day on which either house is in session."
Delegate Gravel moved the adoption of the amendment.
Delegate Burson objected.
By a vote of 41 yeas and 42 nays and the amendment was rejected.
Delegate Jenkins moved to reconsider the vote by which the amendment was rejected.
Delegate Burson moved to table the motion to reconsider.
Delegate Jenkins objected.
By a vote of 42 yeas and 45 nays the Convention refused to table the motion to reconsider.
Delegate Jenkins insisted upon the motion to reconsider the vote by which the amendments were rejected.
Delegate Womack objected.
By a vote of 70 yeas and 45 nays the vote by which the amendments were rejected was reconsidered.

Motion
Delegate Kean moved to take up other Orders of Business at this time.
Delegate Tapper objected.
By a vote of 49 yeas and 50 nays the Convention refused to take up other Orders of Business at this time.

Motion
Delegate Burson moved the previous question on the amendment.
Delegate Newton objected.
By a vote of 36 yeas and 57 nays the Convention refused to order the previous question at this time.

Motion
Delegate Chatelain moved to take up other Orders of Business at this time.
Delegate Weiss objected.
By a vote of 55 yeas and 42 nays the Convention agreed to take up other Orders of Business at this time.

Motion
On motion of Delegate Asseff, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions
Delegate and Committee Resolutions
The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 28—
Introduced by Delegates Asseff, Lennox, Miller, Planchard, Wisham and Anzalone;
A RESOLUTION
Relative to reports of substantive committees.
Read by title.
Rules suspended.
Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.

COMMITTEE NOTICE
Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:
The Committee on Bill of Rights and Elections will meet on Wednesday, July 18, 1973, at 9:00 a.m. o'clock in Senate Lounge, State Capitol and will consider the following agenda:

AGENDA
Continued consideration of the committee proposal on elections.

Respectfully submitted,
ALPHONSE JACKSON, JR.,
Chairman of the Committee on
Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Stovall, chairman of the Committee on Rules, Credentials & Ethics, sent up the following notice:
The Committee on Rules, Credentials & Ethics will meet on Wednesday, July 18, 1973, after adjournment, in Committee Room 1, State Capitol and will consider the following agenda:

AGENDA
To consider resolutions referred to the committee.
Respectfully submitted,
JAMES L. STOVALL,
Chairman of the Committee on Rules, Credentials and Ethics

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegates: Dennis, Deshotels, Taylor, Thompson and Tate.

Adjournment
Delegate Chatelain moved to adjourn until Wednesday, July 18, 1973 at 1:00 o'clock P.M.

As a substitute Delegate Bollinger moved that the Convention adjourn until Tuesday, July 17, 1973 at 1:00 o'clock P.M.

The vote recurred on the motion for the longest period of adjournment.
By a vote of 70 yeas and 14 nays the Convention adjourned until Wednesday, July 18, 1973 at 1:00 o'clock P.M.

And Chairman Henry declared the Convention adjourned to Wednesday, July 18, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The roll being called, the following delegates answered to their names:

YEAS

Delegates-
Mr. Chairman—Fulco
Abraham—Gauthier
Aertker—Girrusso
Alario—Ginn
Alexander—Gravel
Anzalone—Grier
Arnette—Guarisco
Assett—Hardee
Avant—Hayes
Badeaux—Haynes
Bel—Heine
Bergeron—Hernandez
Blair—Jack
Bollinger—Jackson, A.
Brien—Jackson, J.
Burns—Jenkins
Burson—Juneau
Carmouche—Kean
Casey—Kelly
Champagne—Kibourne
Chatelein—Kilpatrick
Chehardy—Lambert
Conino—Landrum
Comroy—Landry, A.
Corne—Landry, E. J.
Cowen—Lanier
D’Gerolamo—LeBlanc
De Blieux—Leigh
Denner—Leithman
Dennis—Lennox
Derbes—Lowe
Deshotel—McDaniel
Drew—Martin
Donlap—Mauberret
Duval—Miller
Edward—Mire
Elkins—Newton
Fayard—Nunez
Flory—O’Neill
Fontenot—Ourso
Fowler—Perez

Total—123.

ABSENT

Delegates—
Armentor—Guilbeau
Brown—LeBrecht
Cannon—Munson

Total—9.

The Chairman announced that there were 123 members present and a quorum.

Prayer

Prayer was offered by the Rev. Zimmerman, pastor of St. Stephens Catholic Church.

Pledge of Allegiance

Delegate Cowen led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate A. Landry, the reading of the Journal was dispensed with.

On motion of Delegate A. Landry, the Journal of yesterday was adopted.

Morning Hour

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 12—

Introduced by Delegate Dennery:

A PROPOSAL

To provide for uniform compensation to members of all state boards, commissions, and authorities.

Read.

Lies over under the rules.

Motion

On motion of Delegate Stagg, the Convention altered the Order of Business to take up Resolutions on Third Reading and Final Passage at this time.

Resolutions Delegate and Committee

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

COMMITTEE RESOLUTION No. 5—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION

Amending Rule No. 44 of the Standing Rules of the Constitutional Convention to clarify the requirement with respect to the readings on three different days.

Read.

Delegate Tobias send up the following amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Resolution No. 5 by Delegate Stovall, et al.

Amend engrossed Resolutions as follows:

AMENDMENT No. 1—

On page 1, line 3, after the word "to" delete the remainder of the line, delete line 10 in its entirety and insert in lieu thereof the following:

"delete the requirement with respect to reference to the Committee on Style and Drafting prior to the third reading and to clarify the requirement with respect to the readings on three different days."

On motion of Delegate Tobias the amendment was adopted.

On motion of Delegate Stovall the Resolution, as amended, was adopted.

COMMITTEE RESOLUTION No. 7—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics, and Dele-
Relative to amending the Standing Rules of the Constitutional Convention to provide for submission of minority proposals.

Read.

On motion of Delegate Perez the Resolution was recommitted to the Committee on Rules, Credentials and Ethics.

On motion of Delegate Abraham, the Convention altered the Order of Business to take up unfinished business at this time.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 3—

Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casev, Fayard, Pulce, Ginn, Juneau, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL

Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Section 2. Sessions: Annual, Extraordinary

Section 2. (A) The legislature shall meet in regular annual sessions. In each year the regular session shall extend for not more than fifty-five legislative days. The legislature shall convene at twelve o'clock noon on the fourth Monday in April of each year for not to exceed five calendar days. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the fifth calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the second Monday in May, at which time the legislature shall reconvene for not to exceed fifty legislative days, which shall not be beyond sixty calendar days following the second Monday in May. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings, but shall take no vote with respect to any bill or resolution referred to them. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the third Monday in May of each year. A legislative day is a calendar day on which either house of the legislature is in session.

The legislature may be convened at other times by the governor or, shall be convened upon the written request of a majority of the elected members of each house, by the presiding officers of both houses. The governor or the presiding officers of both houses, as the case may be, shall issue a proclamation at least five days prior to convening the legislature into extraordinary session. The proclamation shall state the object or objects for convening the legislature in extraordinary session, the date on which the legislature is to be convened, and the number of days for which the legislature is convened. The power to legislate, under the penalty of nullity, shall be limited to the objects specifically enumerated in the proclamation convening the extraordinary session, and the session shall be limited to the number of days named therein which shall never exceed thirty calendar days.

Read.

Motion

On motion of Delegate Duval the Convention reconsidered the motion of Delegate Gravel to Committee Proposal No. 3 by Delegate Blair, et al. which were reconsidered on July 14, 1973, to wit:

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

Delete Amendment No. 1 proposed by Delegate Riecke, et al. and adopted by the convention on July 14, 1973.

AMENDMENT No. 2—

On page 1, delete lines 21 through 32 in their entirety and insert in lieu thereof the following:

"Section 2. (A) The legislature shall convene each year in regular session at twelve o'clock noon on the first Monday in April for not to exceed twelve calendar days. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the tenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the tenth calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the fourth Monday in April which time it shall reconvene for not to exceed fifty legislative days, which shall not exceed beyond the thirty-fifth day of June in any year. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings. A legislative day is a calendar day on which either house is in session."

Motion

On motion of Delegate Gravel, the above amendments were withdrawn.

Delegate Riecke sent the following amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Riecke, Sutherland, Garisco, Bel, Triche, Gravel, Roy, Newton and Jenkins to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

Delete Amendment No. 1 proposed by Delegate Riecke, et al. and adopted by the convention on July 14, 1973.

AMENDMENT No. 2—

On page 1, delete lines 21 through 32 in their entirety and insert in lieu thereof the following:

"Section 2. (A) The legislature shall convene each year in regular session at twelve o'clock noon on the first Monday in April for not to exceed twelve calendar days. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the twelfth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the twelfth calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the fourth Monday in April which time it shall reconvene for not to exceed fifty legislative days, which shall not exceed beyond the thirty-fifth day of June in any year. During the interim between adjournment and reconvening, the committees of the houses may meet and hold hearings. A legislative day is a calendar day on which either house is in session."

Read.
AMENDMENT No. 3—
On page 2, delete lines 1 through 9 both inclusive, in their entirety.

Delegate Riecke moved the adoption of the amendments.
Delegate Nunez objected.

Motion
Delegate Newton moved the previous question on the amendments.
Delegate Riecke objected.

By a vote of 32 yeas and 74 nays the Convention refused to order the previous question at this time.

Motion
Delegate Champagne moved the previous question on the amendments.
Delegate D’Gerolamo objected.

By a vote of 30 yeas and 82 nays the Convention refused to order the previous question at this time.
Delegate Riecke moved the adoption of the amendments.
Delegate Blair ejected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—

Aertker    Fontenot    Newton
Alexander  Gauthier    O’Neill
Badeaux    Garruilo    Riecke
Bel        Gravel       Roemer
Bollinger  Grier        Roy
Brien      Heine        Sandoz
Burson     Hernandez    Silverberg
Carmouche  Jenkins      Slay
Casey      Juneau       Sutherland
Champagne  Kean         Tapper
Chatelain  Kilbourne    Tate
Chehady    Landrum       Thistlethwaite
Corne      Landry, A.    Tobias
De Blieux  Lanier       Triche
Dennery    Leigh         Warren
Derbes     Lennox        Weiss
Drew       Lowe          Willis
Duval      Miller        Zervigon

Total—55.

NAYS

Delegates—

Abraham    Fowler        Nunez
Alario     Fulco         Oursu
Azzalone   Glenn         Perez
Asseff     Hardee        Planchard
Avant      Hayes         Rayburn
Bergeron   Jack          Reeves
Blair      Jackson, A.   Robinson
Burns      Jackson, J.   Schmitt
Conine     Kelly         Shannon
Conroy     Kilpatrick    Singletary
Cowen      Lambert       Smith
D’Gerolamo  Landry, E.  J. Soriat
Dennis     LeBluex       Stagg
Deshotels  Leithman     Stephenson
Dunlap     McDaniel      Stinson
Edwards    Martin        Stovall
Ekins      Mauberret     Taylor
Flory      Mire          Thompson

Total—56.

AMENDMENT No. 3—
On page 2, delete lines 1 through 9 both inclusive, in their entirety.

Delegate Riecke moved the adoption of the amendments.
Delegate Nunez objected.

Motion
Delegate Newton moved the previous question on the amendments.
Delegate Riecke objected.

By a vote of 32 yeas and 74 nays the Convention refused to order the previous question at this time.

Motion
Delegate Champagne moved the previous question on the amendments.
Delegate D’Gerolamo objected.

By a vote of 30 yeas and 82 nays the Convention refused to order the previous question at this time.
Delegate Riecke moved the adoption of the amendments.
Delegate Blair ejected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

AMENDMENT No. 1—
On page 1, delete lines 21 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 2. (A) The legislature shall meet annually in regular session for not more than sixty consecutive calendar days. The legislature shall convene at twelve o’clock noon on the fourth Monday in April of each year. No new matter intended to have the effect of law shall be introduced or received by either house of the legislature after midnight of the nineteenth calendar day of the session, except by a favorable record vote of two-thirds of the elected members of each house.

AMENDMENT No. 2—
On page 2, delete lines 1 through 9, both inclusive, in their entirety.

On motion of Delegate Nunez, the amendments were withdrawn.

Delegate Nunez moved up the following amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Nunez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 21 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 2. (A) The legislature shall meet annually in regular session for not more than sixty consecutive calendar days. The legislature shall convene at twelve o’clock noon on the fourth Monday in April of each year. No new matter intended to have the effect of law shall be introduced or received by either house of the legislature after midnight of the nineteenth calendar day of the session, except by a favorable record vote of two-thirds of the elected members of each house.

AMENDMENT No. 2—
On page 2, delete lines 1 through 9, both inclusive, in their entirety.

Delete in their entirety Amendments No. 1 and No. 2 proposed by Delegate Riecke et al. and adopted by the Convention on July 14, 1973.

Delegate Nunez moved the adoption of the amendments.
Delegate Roemer objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:
And by a vote of 10 yeas and 102 nays the amendment was rejected.

Delegate Blair moved to reconsider the vote by which the amendment was rejected and on his own motion that motion was laid on the table.

**Motion**

On motion of Delegate Stagg, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

**Introduction of Resolutions, Delegate and Committee Resolutions**

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

**DELEGATE RESOLUTION No. 29—**

**Introduce by Delegate Burson:**

**A RESOLUTION**

To amend Rule No. 45 of the Standing Rules of the Constitutional Convention to provide for adoption of proposals by subsection or paragraph rather than by section.

Read.

Lies over under the rules.

**DELEGATE RESOLUTION No. 30—**

**Introduce by Delegate Burson:**

**A RESOLUTION**

To amend Rule No. 46 of the Standing Rules of the Constitutional Convention to require that amendments to proposals be germane.

Read.

Lies over under the rules.

Mr. Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Committee Resolution having been finally adopted by the Convention has been properly enrolled in final form:

**COMMITTEE RESOLUTION No. 5—**

**Introductions by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegate Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Ruffin, Velazquez and Warren:**

**A RESOLUTION**

Amending Rule No. 44 of the Standing Rules of the Constitutional Convention to delete the requirement with respect to reference to the Committee on Style and Drafting prior to the third reading and to clarify the requirement with respect to the readings on three different days, BE IT RESOLVED that Rule No. 44 of the Standing Rules at the Constitutional Convention is hereby amended and re-adopted to read as follows:

Rule No. 44, Order of Preceding. The order of convention procedure in processing each proposal shall be as follows:

A. Introduction, which shall constitute the first reading.
B. Committee Referrals: Committee proposals shall be referred to the committee offering the proposal. Delegate proposals shall be referred by the chairman of the convention to the appropriate committee based on the subject matter of the proposal. The chairman shall announce his referral to the delegates and if no objection is raised, the proposal shall be referred to the committee designated by the chairman; if objection is raised, the referral shall be made by the convention. Referrals shall be made the day following introduction. Committee referral shall commence the second reading.
C. Committee reports.
D. Consideration of and voting on the substantive committee report by delegates in general assembly.
E. If recommitted, reconsideration by substantive committee or committee of the whole.
F. Engrossment, which shall complete the second reading.
G. Third reading and final passage.
H. Enrollment.
I. Referral to Committee on Style and Drafting.
J. Convention approval of final styling.
K. Final enrollment.
The three required readings shall occur on three different days.

Respectfully submitted,
MOISE W. DENNERY, Secretary.

The Resolution contained in the report was signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

COMMITTEE NOTICE
Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:
The Committee on Style and Drafting will meet on Thursday, July 19, 1973, at adjourned in Independence Hall and will consider the following agenda:

AGENDA
To consider the Committee Proposal referred to the Committee.

Respectfully submitted,
ALBERT TATE, Chairman of the Committee on Style and Drafting.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice, having recessed its meeting on July 18:
The Committee on Bill of Rights and Elections will continue to meet on Thursday, July 19, 1973, at 9:00 o'clock a.m. in Committee Room 9 and will consider the following agenda:

AGENDA
Continue consideration of the Proposal referred to the Committee.

Respectfully submitted,
ALPHONSE JACKSON, JR., Chairman of the Committee on Bill of Rights and Elections.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:
The Committee on Revenue, Finance and Taxation will meet on Friday, July 20, 1973, at 9:00 o'clock in Committee Room No. 5 and will consider the following agenda:

AGENDA
Continued consideration of Committee Proposal No. 15.

Respectfully submitted,
B. B. RAYBURN, Chairman of the Committee on Revenue, Finance and Taxation.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Suspension of the Rules
Delegate Perez asked for and obtained a suspension of the rules for the purpose of holding a committee meeting without the required twenty-four hour notice.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:
The Committee on Local and Parochial Government will meet on Thursday, July 19, 1973, at 9:30 o'clock a.m. in Committee Room No. 3, State Capitol and will consider the following agenda:

AGENDA
Continued consideration of Proposals referred to the Committee.

Respectfully submitted,
CHALIN O. PEREZ, Chairman of the Committee on Local and Parochial Government.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Segura 3—Days.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Thursday, July 19, 1973, at one o'clock, P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, July 19 at one o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

SEVENTEENTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

The Convention was called to order at 1:00 o'clock p.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Mr. Chairman, Fulco, Rechal
Abraham, Gauthier, Rayburn
Aeroiker, Girard, Reeves
Alario, Ginn, Riecke
Alexander, Gravel, Robinson
Anzalone, Grier, Roemer
Armentor, Guirisco, Roy
Arnette, Hardee, Sandoz
Assess, Hayes, Schmidt
Avant, Haynes, Shannon
Badeaux, Heine, Silverberg
Bel, Hernandez, Singletary
Bergeron, Jack, Slay
Blair, Jackson, A., Smith
Bollinger, Jackson, J., Soniat
Brien, Jenkins, Stagg
Brown, Juneau, Stephenson
Burns, Kean, Stinson
Burson, Kelly, Stovall
Carmouche, Kilbourne, Sutherland
Casey, Kilpatrick, Tapper
Champagne, Lambert, Tate
Chatelain, Landrum, Taylor
Chehady, Landry, A., Thistlethwaite
Conino, Landry, E. J., Thompson
Conroy, Lanier, Tobias
Corne, LeBlou, Toca
Cowen, Leigh, Tommy
De Blieux, Leithman, Triche
D'Gerolamo, Lennox, Ullo
Denberry, McDaniel, Velazquez
Dennis, Martin, Vesch
Derbes, Maubert, Vick
Deshotels, Miller, Wall
Drew, Mire, Warren
Dunlap, Munson, Weiss
Duval, Newton, Willis
Edwards, Nunez, Winchester
Elkins, O'Neil, Wisham
Fayard, Ousso, Womack
Flory, Perez, Zervigon
Fontenot, Perkins, Zervas
Fowler, Planchard

Total—127.

ABSENT

Delegates—
Cannon, LeBreton, Segura
Guidry, Lowe

Total—5.

The Chairman announced that there were 127 members
present and a quorum.

Prayer

Prayer was offered by the Rev. Hilary J. Zimmerman.

Pledge of Allegiance

Delegate Singletary led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of
America.

Reading of the Journal

On motion of Delegate Newton, the reading of the Journal
was dispensed with.

On motion of Delegate Newton, the Journal of yesterday
was adopted.

Morning Hour

Introduction of Resolutions
Delegate and Committee Resolutions

The following delegates and Chairmen on behalf of their
committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 31—
Introduced by Delegate Burson:

A RESOLUTION

To amend and readopt Rule No. 30 of the Standing Rules of
the Constitutional Convention, relative to limits on de-
bate.

Read.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and
read:

Delegate Stovall, chairman, on behalf of the Committee
on Rules, Credentials and Ethics, submitted the following
report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional
Convention:

I am directed by your Committee on Rules, Credentials
and Ethics to submit the following report:

COMMITEE RESOLUTION No. 8—
Introduced by Delegate Stovall, Chairman, on behalf of
the Committee on Rules, Credentials and Ethics, and Dele-
gate Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire,
Singletary, Velazquez and Warren:

A RESOLUTION

Amending Rule No. 40 of the Standing Rules of the Con-
stitutional Convention to clarify the requirement that each
committee proposal shall bear the signature of a majority
of the members of the committee.

Reported with amendments.

COMMITEE RESOLUTION No. 9—
Introduced by Delegate Stovall, Chairman, on behalf of
the Committee on Rules, Credentials and Ethics, and Dele-
gate Arnette, Bel, Bollinger, Corne, Elkins, Flory, Haynes,
McDaniel, Mire, Sandoz, Shannon, Singletary, Stagg, Velaz-
quez and Warren:

A RESOLUTION

To adopt standing rules to regulate the use of duplicating
equipment and the distribution of materials to delegates
while in session.

Reported with amendments.

DELEGATE RESOLUTION No. 26—
Introduced by Delegates Juneau, Fayard, T. A. Casey and
Kelly:

A RESOLUTION

Relative to amending the Standing Rules of the Constitu-

170
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 3—**

Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBrecht and O'Neill.

A PROPOSAL

Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Section 2, Sessions; Annual, Extraordinary

Section 2. (A) The legislature shall meet in regular annual sessions. In each year the regular session shall extend for not more than fifty-five legislative days. The legislature shall convene at twelve o'clock noon on the fourth Monday in April of each year for not to exceed five calendar days. During this period no committee shall report and neither house shall adopt any bill or resolution which is intended to have the effect of law. Not later than the close of the fifth calendar day the legislature shall adjourn and stand in recess until twelve o'clock noon on the second Monday in May, at which time the legislature shall reconvene for not to exceed fifty legislative days, which shall not extend in any year beyond sixty calendar days following the second Monday in May. During the interim between adjournment and reconvening, the committee of the houses may meet and hold hearings, but shall take no vote with respect to any bill or resolution referred to them. No new matter intended to have the effect of law shall be introduced during any regular session after midnight of the third Monday in May of each year. A legislative day is a calendar day on which either house of the legislature is in session.

(B) The legislature may be convened at other times by the governor or, shall be convened upon the written request of a majority of the elected members of each house, by the presiding officers of both houses. The governor or the presiding officers of both houses, as the case may be, shall issue a proclamation at least five days prior to convening the legislature into extraordinary session. The proclamation shall state the object or objects for convening the legislature in extraordinary sessions, the date on which the legislature is to be convened, and the number of days for which the legislature is convened. The power to legislate, under the penalty of nullity, shall be limited to the objects specifically enumerated in the proclamation convening the extraordinary session, and the session shall be limited to the number of days named therein which shall never exceed thirty calendar days.

Read.

Delegate Rayburn sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Rayburn, Casey, Womack, Fayard, Toca and D'Gerolamo to Committee Proposal No. 3 by Delegates Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**


**AMENDMENT No. 2—**

On Page 1, delete lines 21 through 32 and insert in lieu thereof the following:

"Section 2. (A) The legislature shall meet annually in regular session in the state capitol during a period of eighty-five calendar days for not more than sixty legislative days. A legislative day is a calendar day on which either house is
Delegate Rayburn moved the adoption of the amendments. Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>Rachel</td>
</tr>
<tr>
<td>Abraham</td>
<td>Fulgham</td>
<td>Rayburn</td>
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<td>Alario</td>
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<td>Alexander</td>
<td>Hardee</td>
<td>Shannon</td>
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<td>Anzalone</td>
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<td>Smith</td>
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<td>Brien</td>
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<td>Stinson</td>
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<td>D'Ogerlamo</td>
<td>McDaniel</td>
<td>Toomy</td>
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<tr>
<td>De Blieux</td>
<td>Martin</td>
<td>Velazquez</td>
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<td>Mauberret</td>
<td>Vesch</td>
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<td>Deshotels</td>
<td>Mire</td>
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<td>Armentor</td>
<td>Gravel</td>
<td>Riecke</td>
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<td>Avant</td>
<td>Grier</td>
<td>Robinson</td>
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<td>Bel</td>
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<td>Champagne</td>
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<td>Sutherland</td>
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<td>Conine</td>
<td>Landry, A.</td>
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<td>Dennery</td>
<td>Lanier</td>
<td>Triche</td>
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<td>Derbes</td>
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<td>Uilo</td>
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<tr>
<td>Florý</td>
<td>Lennox</td>
<td>Wisham</td>
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<tr>
<td>Giarrusso</td>
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<table>
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<tbody>
<tr>
<td>Aertker</td>
<td>Kilpatrick</td>
<td>Roemer</td>
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<td>Armette</td>
<td>LeSueur</td>
<td>Segrera</td>
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<td>Blair</td>
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<tr>
<td>Total—17.</td>
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</table>

And the amendments were adopted.

Delegate Rayburn moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stinson sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Flory, Jenkins, Stinson, O'Neil and Bollinger to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 2, at the end of line 9, insert the following:

"During any regular annual session held in an odd-numbered year, no measures levying new taxes or increasing taxes shall be introduced or enacted."

Delegate Stinson moved the adoption of the amendment. Delegate Blair objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Ginn</td>
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<td>Martino</td>
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<td>Vick</td>
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<td>Guidry</td>
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<tr>
<td>Total—15.</td>
<td></td>
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</tbody>
</table>

And the amendment was adopted.

Delegate Stinson moved to reconsider the vote by which
the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Juneau, sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Juneau to Committee Proposal No. 3 by Delegates Blair, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 11, strike out the word “request” and insert in lieu thereof the word “petition”

AMENDMENT No. 2—
On page 2, line 13, immediately after the words and punctuation “houses,” and before the words “The governor” insert the following:

“Such petition shall be in such form as shall be provided by law or the rules of the two houses.”

On motion of Delegate Juneau the amendments were withdrawn from the files of the Convention.

Delegate Juneau sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Juneau to Committee Proposal No. 3 by Delegates Blair, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 11, strike out the word “request” and insert in lieu thereof the word “petition”

AMENDMENT No. 2—
On page 2, line 13, immediately after the words and punctuation “houses,” and before the words “The governor” insert the following:

“Such petition shall be in such form as shall be provided by law.”

On motion of Delegate Juneau the amendments were adopted.

Delegate Juneau moved to reconsider the motion by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Jenkins to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 13, immediately after the period “,” and before the word “The” and after the language inserted on said line by Floor Amendment No. 1 proposed by Delegate Juneau and adopted by the Convention on July 19, 1973, insert the following:

“However, any proposal to call or convene a special session of the legislature within thirty days prior to the convening of any regular annual session or within thirty days after the adjournment sine die of any session, shall require the consent of three-fourths of the elected members of each house.”

Delegate Jenkins moved the adoption of the amendment.

Delegate Blair objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

DELEGATES

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
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<td>Armentor</td>
<td>Jack</td>
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<td>Stinson</td>
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DELEGATES

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<td>D’Gerolamo</td>
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<td>Dennis</td>
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<td>Mauberret</td>
<td>Tomy</td>
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<tr>
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<td>Triche</td>
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<td>Vick</td>
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<td>Newton</td>
<td>Winchester</td>
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<tr>
<td>Fowler</td>
<td>Nunez</td>
<td>Zervigon</td>
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<td>Fulco</td>
<td>Ousso</td>
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ABSENT

<table>
<thead>
<tr>
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<td>Guidry</td>
<td>Segura</td>
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<td>Brown</td>
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<td>Tapper</td>
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<td>Cannon</td>
<td>LeBlu</td>
<td>Wall</td>
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<tr>
<td>Chehardy</td>
<td>LeBreton</td>
<td>Womack</td>
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<td>Lowe</td>
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<tr>
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</table>

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Jenkins to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 2, line 12, immediately before the words “of the” delete the words “a majority” and insert in lieu thereof the word “two-thirds”.

Delegate Jenkins moved the adoption of the amendment.

Delegate Blair objected.

By a vote of 37 yeas and 75 nays the amendment was rejected.
17th Days Proceedings—July 19, 1973

Delegate Roy moved the reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Abraham, et al. to Committee proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed proposal as follows:

**AMENDMENT No. 1**

On page 2, line 16 after the word “session,” delete the remainder of the sentence.

**AMENDMENT No. 2**

On page 2, delete all of lines 17 through 24 in their entirety and insert in lieu thereof the following:

“The proclamation shall state the specific subjects to be considered, the date and time the legislature is to convene, and the number of days for which the legislature is convened. The subject matter of the session may be amended, by proclamation to the legislature, until forty-eight hours prior to the hour at which the legislature convenes. The power to legislate, under the penalty of nullity, shall be limited to the subjects specially enumerated in the latest proclamation convening such extraordinary session. The session shall be limited to the time named therein, and shall not exceed thirty days.

The governor may convene the legislature in extraordinary session without prior notice or proclamation on occasions of public emergencies caused by epidemics, attacks by the enemy, or public catastrophe.”

Delegate Abraham moved the adoption of the amendments.

Delegate Blair objected.

By a vote of 92 nays and 92 yeas the amendments were rejected.

Delegate Blair moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**

On page 2, between lines 24 and 25, insert the following:

“The governor may convene the legislature in extraordinary session without prior notice or proclamation on occasions of public emergencies caused by epidemics, attacks by the enemy, or public catastrophe.”

Delegate Dennery moved the adoption of the amendment.

Delegate Jenkins objected.

By a vote of 89 yeas and 7 nays the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 2, was read, as amended.

Delegate Blair moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Chairman
Abraham
Alario
Alexander
Anzalone
Armentor
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Carmouche
Casey
Chatelain
Chehardy
Conino
Corne
Cowan
D’Gerolamo
Denny
Dennis
Desbes
Deshotels
Drew
Dunlap
Duval
Elkins
Fayard
Fowler
Fulco
Total—92.

**NAYS**

Amseff
Avant
Burson
Total—8.

**ABSENT**

Aeriker
Arnette
Badeaux
Brown
Cannon
Champagne
Conroy
De Blieux
Edwards
Fontenot
Guidry
Total—32.

And the Chair declared that the above Section was passed.

Delegate Blair moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 3. Size**

Section 3. The number of members of the legislature shall be provided by law, but the number of Senate members shall not exceed forty-one and the number of House members shall not exceed one hundred and eleven.

Read.

Delegate Alario sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Alario and Toomy to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**

On page 2, line 28, immediately after the word “exceed” and before the words “and the” delete the word “forty-one” and insert in lieu thereof the word “thirty-nine”.

**AMENDMENT No. 2**

On page 2, line 29, immediately after the word “hundred”
and before the period "..." delete the words "and eleven" and insert in lieu thereof the word "five"

Delegate Alario moved the adoption of the amendments.

Delegate Casey objected.

By a vote of 53 yeas and 52 nays the amendments were adopted.

Delegate Alario moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias and Singletary to Committee Proposal No. 3 by Delegate Blair.

Amendment reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 27, immediately after the word "law" change the comma "..." to a period "..." and delete the remainder of the line and delete lines 28 and 29 in their entirety.

Delegate Tobias moved the adoption of the amendment.

Motion

On motion of Delegate Shannon the previous question on the entire subject matter was ordered.

Delegate Tobias moved the adoption of the amendment.

Delegate Blair objected.

By a vote of 33 yeas and 79 nays the amendment was rejected.

Delegate Blair moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 3 was read as amended.

Delegate Blair moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate Blair moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Section 4. Qualifications; Residence Requirements; Term; Vacancies; Salary

Section 4. (A) Every elector who at the time of the general election shall have reached the age of eighteen years shall be eligible to membership in the House of Representatives.

Every elector who at the time of the general election shall have reached the age of twenty-one years shall be eligible to membership in the Senate.

(B) No person shall be eligible to membership in the legislature unless at the time of the general election he shall have been a resident of the state for two years and actually domiciled within the legislative district from which he seeks election for one year immediately preceding his election.

However, at the next regular election for members of the legislature following the reapportionment of the legislature, a person may qualify for election to either house of the legislature from any district created in whole or in part from the district existing prior to reapportionment in which such person was domiciled, if he was domiciled in that prior district for at least one year immediately preceding his election.

The seat of any member who changes his domicile from the legislative district which he represents shall be vacated thereby, any declaration of a retention of domicile to the contrary notwithstanding.

(C) The members of the legislature shall be elected for terms of four years each.

(D) When a vacancy occurs in either house of the legislature, the remainder of the term shall be filled only by election, as provided by law.

(E) The members of the legislature shall be compensated by an annual salary which shall be fixed by a majority vote of the elected members of each house of the legislature. The amount fixed may be changed only by two-thirds of the elected members of each house of the legislature, to be effective at a term other than that for the members presently serving.

Read. Delegate Taylor sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Taylor to Committee Proposal No. 3 by Delegate Blair.

Amendment reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 4 immediately after the words "age of" and

Delegate Tobias moved the adoption of the amendments.

Delegate Casey objected.

By a vote of 53 yeas and 52 nays the amendments were adopted.

Delegate Alario moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias and Singletary to Committee Proposal No. 3 by Delegate Blair.

Amendment reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 27, immediately after the word "law" change the comma "..." to a period "..." and delete the remainder of the line and delete lines 28 and 29 in their entirety.

Delegate Tobias moved the adoption of the amendment.

Motion

On motion of Delegate Shannon the previous question on the entire subject matter was ordered.

Delegate Tobias moved the adoption of the amendment.

Delegate Blair objected.

By a vote of 33 yeas and 79 nays the amendment was rejected.

Delegate Blair moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 3 was read as amended.

Delegate Blair moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate Blair moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Section 4. Qualifications; Residence Requirements; Term; Vacancies; Salary

Section 4. (A) Every elector who at the time of the general election shall have reached the age of eighteen years shall be eligible to membership in the House of Representatives.

Every elector who at the time of the general election shall have reached the age of twenty-one years shall be eligible to membership in the Senate.

(B) No person shall be eligible to membership in the legislature unless at the time of the general election he shall have been a resident of the state for two years and actually domiciled within the legislative district from which he seeks election for one year immediately preceding his election.

However, at the next regular election for members of the legislature following the reapportionment of the legislature, a person may qualify for election to either house of the legislature from any district created in whole or in part from the district existing prior to reapportionment in which such person was domiciled, if he was domiciled in that prior district for at least one year immediately preceding his election.

The seat of any member who changes his domicile from the legislative district which he represents shall be vacated thereby, any declaration of a retention of domicile to the contrary notwithstanding.

(C) The members of the legislature shall be elected for terms of four years each.

(D) When a vacancy occurs in either house of the legislature, the remainder of the term shall be filled only by election, as provided by law.

(E) The members of the legislature shall be compensated by an annual salary which shall be fixed by a majority vote of the elected members of each house of the legislature. The amount fixed may be changed only by two-thirds of the elected members of each house of the legislature, to be effective at a term other than that for the members presently serving.

Read. Delegate Taylor sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Taylor to Committee Proposal No. 3 by Delegate Blair.

Amendment reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 4 immediately after the words "age of" and
Delegate Taylor moved the adoption of the amendment.

**Motion**

Delegate Derbes moved the previous question on the amendment.

Delegate Fontenot objected.

By a vote of 30 ayes and 71 nays the Convention refused to order the previous question at this time.

Delegate Taylor moved the adoption of the amendment.

Delegate Juneau objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman

Glenn

Riecke

Alario

Gravel

Robinson

Alexander

Grier

Roemer

Anzalone

Hardee

Roy

Avant

Hayes

Sandoz

Badeaux

Haynes

Schmitt

Bel

Heine

Shannon

Bergeron

Jack

Silverberg

Blair

Jackson, A.

Singlyetary

Bollinger

Jackson, J.

Slay

Brien

Jenkins

Smith

Burns

Kelly

Soniat

Burson

Kilpatrick

Stagg

Champagne

Lambert

Stephenson

Chehardy

Landrum

Stovall

Conino

Landry, A.

Sutherland

Conroy

Landry, E. J.

Tate

Cowan

Lanier

Taylor

D'Herolamo

LeBleu

Thistlethwaite

Dennehy

Maubertret

Thompson

Dennis

Miller

Tobias

Derbes

Mire

Toomy

Drew

Newton

Triche

Dunlap

Nunez

Ulo

Duval

O'Neill

Velazquez

Flory

O'Neill

Vick

Fontenot

Perché

Warren

Fowler

Planhakid

Willis

Fulco

Rachal

Wisham

Giarrusso

Raeburn

Zervigon

Total—90.

**NAYS**

Delegates—

Abraham

Deshotels

Leigh

Armentor

Elkins

Lennox

Aseff

Fayard

McDaniel

Casey

Guarisco

Perez

Chatelain

Hernandez

Weiss

Corrie

Juneau

Winchester

De Blieuex

Kalbournale


**ABSENT**

Delegates—

Aetker

Kean

Segura

Arnette

LeBreton

Stinson

Brown

LeHimman

Tapper

Cannon

Lowe

Toca

Carmouche

Martin

Vесh

Edwards

Munson

Welse

Gauthier

Ours

Wall

Guidry

Ours

Total—22.

And the amendment was adopted.

Delegate Taylor moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Vice-Chairman Alexander in the Chair**

Delegate A. Landry sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate A. Landry to Committee proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete line 32 in its entirety.

**AMENDMENT No. 2—**

On page 3, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 4. (A) Every elector shall be eligible to membership in the House of Representatives or the Senate.”

Delegate A. Landry moved the adoption of the amendments.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham

Giarrusso

Ours

Alario

Ginn

Perez

Anzalone

Grier

Planchar

Avant

Guarisco

Rchak

Badeaux

Hardee

Rayburn

Bel

Hayes

Riecke

Bergeron

Heine

Robinson

Blair

Jackson, A.

Roemer

Bollinger

Jackson, J.

Sandoz

Brien

Jenkins

Schmitt

Burns

Kean

Silverberg

Burson

Kelly

Slay

Champagne

Kilbourne

Stagg

Chehardy

Kilpatrick

Stephenson

Conino

Lambert

Stovell

Conroy

Landrum

Sutherland

Cowan

Landry, A.

Taylor

D'Herolamo

Landry, E. J.

Thistlethwaite

De Blieuex

LeBleu

Toomy

Dennehy

LeBlanc

Triche

Dennis

LeBlanc

Ulo

Deshotels

Lennox

Velazquez

Drew

Martin

Vick

Duval

Maubertret

Warren

Fayard

Mire

Wisham

Fowler

Nunez

Winchester

Fulco

O'Neill

Willis

Total—32.

**NAYS**

Delegates—

Aseff

Hernandez

Shannon

Casey

Jack

Singlyetary

Corrie

Juneau

Smith

Dunlap

LeBlanc

Soniat

Elkins

McDaniel

Stovell

Elkins

Newton

Vick

Flory

Perkins

Warren

Gravel

Roy

Haynes

Zervigon

Total—25.

**ABSENT**

Delegates—

Mr. Chairman

Armentor

Arnette

Derbea

Aetker

Edwards

Brown

Gauthier

Cannon

Guidry

Carmouche

Wescott

Total—22.
Floor Amendment No. 1 proposed by Delegate A. Landry and adopted by the Convention on July 19, 1973.

AMENDMENT No. 2—
On page 2, delete line 32 in its entirety and on page 3, delete lines 1 through 5 both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. (A) Every elector who at the time of election shall have reached the age of eighteen years shall be eligible to membership in the House of Representatives or the Senate."

Delegate Roy moved the adoption of the amendments.
Delegate Perez objected.

Adjournment
Delegate Dennery moved that the Convention do now adjourn until Friday, July 20, 1973 at 9:30 o’clock A.M.
Delegate Shannon objected.
By a vote of 71 yeas and 24 nays the Convention adjourned until Friday, July 20, 1973 at 9:30 o’clock A.M.
And Chairman Henry declared the Convention adjourned to Friday, July 20, 1973 at 9:30 o’clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
EIGHTEENTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the
1972 Regular Session of the Legislature

Friday, July 20, 1973, Baton Rouge, La.

The convention was called to order at 9:30 o'clock A. M., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aeriker
Alario
Alexander
Anzalone
Armentor
Arnette
Assieff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Byrson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Coven
D’Gorolamo
De Blieux
Dennery
Denpas
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler

Total—128.

Delegates—
Mr. Chairman
Abraham
Aeriker
Alario
Alexander
Anzalone
Armentor
Arnette
Assieff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Byrson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Coven
D’Gorolamo
De Blieux
Dennery
Denpas
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler

Total—128.

Delegates—
Cannon
Guidry

Total—4.

The Chairman announced that there were 127 members
present and a quorum.

ABSENT

Delegates—
Lowe
Segura

Prayer

Prayer was offered by Delegate Taylor.

Pledge of Allegiance

Delegate Carmouche led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of
America.

Reading of the Journal

On motion of Delegate Abraham, the reading of the Journal
was dispensed with

On motion of Delegate Abraham, the Journal of yesterday
was adopted.

Morning Hour

Motion

Delegate Fontenot moved that the Convention adopt a
work schedule of Wednesday through Friday and Saturday, if
necessary.

As a substitute, Delegate Weiss moved that the Convention
adopt a work schedule of Monday through Saturday.

Delegate Newton moved the previous question on the
substitute motion.

Delegate Jack objected.

By a vote of 57 yeas and 51 nays the previous question was
ordered.

By a vote of 99 yeas and 13 nays the Convention refused
to adopt a work schedule of Monday thru Friday.

Delegate Newton moved the previous question on the
original motion of Delegate Fontenot.

Delegate Rayburn objected.

By a vote of 58 yeas and 51 nays the previous question was
ordered on the original motion.

By a vote of 90 yeas and 24 nays the Convention adopted
a work schedule of Wednesday through Friday, and Saturday,
if necessary.

Delegate Fontenot moved to reconsider the vote by which
the motion was carried, and on his own motion, the motion
to reconsider was laid on the table.

Motion

Delegate Jack moved that the Convention convene at 9:00
o'clock A. M. Wednesday thru Friday and proceed with its
order of business until 5:00 o'clock P. M., further that the
Convention Committees meet at night.

As a substitute Delegate Rayburn moved that the Conven-
tion proceed to its Regular Order of Business at this time.

Delegate Jack objected.

The vote recurred on the substitute motion.

By a vote of 89 yeas and 10 nays the Convention proceeded
to its Regular Order of Business.

Reports of Committees

The following reports of committees were received and
read:

Mr. Tate, chairman, on behalf of the Committee on Style
and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional
Convention:

I am directed by your Committee on Style and Drafting
to submit the following report:
PAGE 2
18th Days Proceedings—July 20, 1973

COMMITEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department;
A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.
Reported without amendments.
Respectfully submitted,
ALBERT TATE, JR.,
Chairman

Suspension of the Rules
On motion of Delegate Stagg the rules were suspended in order to take up Committee Proposal No. 4 contained in the Committee Report at this time.

Delegate and Committee Resolutions on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

COMMITEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:
A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.
Read.
Reported without amendments by the Committee on Style and Drafting.
Ordered engrossed and passed to its third reading.

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 31—
Introduced by Delegate Burson:
A RESOLUTION
To amend and readopt Rule No. 30 of the Standing Rules of the Constitutional Convention, relative to limits on debate.
Read.
Under the Rules, referred to the Committee on Rules, Credentials & Ethics.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 13—
Introduced by Delegate Burson:
A PROPOSAL
Making provisions for the selection of jurors and necessary provisions with respect thereto.
Read.
Under the rules the above proposal was referred to the Committee on the Judiciary.

DELEGATE PROPOSAL No. 14—
Introduced by Delegate Bergeron:
A PROPOSAL
Relative to amending the constitution.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights & Elections.

Delegate and Committee Resolutions on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

COMMITEE RESOLUTION No. 8—
Introduced by Delegate Stovall Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:
A RESOLUTION
Amending Rule No. 40 of the Standing Rules of the Constitutional Convention to clarify the requirement that each committee proposal shall bear the signature of a majority of the members of the committee.
Read.
Reported with the following amendments by the Committee on Rules, Credentials and Ethics.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Rules, Credentials and Ethics to Committee Resolution No. 8 by Delegate Stovall, et al.
Amend printed resolution as follows:

AMENDMENT No. 1—
On page 1, line 19, after the word “of” delete the words “a majority of” and of line 20, at the beginning of the line delete the words “the members of the committee,” and insert in lieu thereof the following: “those delegates voting for each such proposal, which in each case shall be at least a majority of the members of the committee.”

On motion of Delegate Stovall the amendments were adopted.
Ordered engrossed and passed to its third reading.

COMMITEE RESOLUTION No. 9—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, Flory, Haynes McDaniel, Mire, Sandoz, Shannon, Singletary, Stagg, Velazquez and Warren:
A RESOLUTION
To adopt standing rules to regulate the use of duplicating equipment and the distribution of materials to delegates while in session.
Read.
Reported with the following amendments by the Committee on Rules, Credentials and Ethics.

COMMITTEE AMENDMENTS
Amendments proposed by Committee on Rules, Credentials and Ethics to Committee Resolution No. 9 by Delegate Stovall, et al.
Amend printed resolution as follows:

AMENDMENT No. 1—
On page 1, line 23, immediately after “Rule No.” delete the figure “90” and insert in lieu thereof the figure “91”

AMENDMENT No. 2—
On page 1, strike out line 25 in its entirety and insert in lieu thereof the following: “Rule 91. Duplication and Distribution of Materials. A. Only”

179
AMENDMENT No. 3—
On page 1, delete lines 29 through 31, both inclusive, in their entirety and at the beginning of line 32 delete "tion of the material."

AMENDMENT No. 4—
On page 2, line 6, add the following paragraph:
"B. All materials which are placed on the desks of convention delegates must bear the name of the person or persons or the organization or organizations responsible for the preparation and distribution of the material."

On motion of Delegate Stovall the amendments were adopted.

Ordered engrossed and passed to its third reading.

DELEGATE RESOLUTION No. 26—
Introduced by Delegates Juneau, Fayard, T. Casey and Kelly:

A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Read.
Reported favorably by the Committee on Rules, Credentials and Ethics.

Ordered engrossed and passed to its third reading.

UNFINISHED BUSINESS
The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals Delegate and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 3—
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Junenu, Kilpatrick, Landrum, LeBreton and O'Neil:

A PROPOSAL
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Section 4. Qualifications: Residence Requirements: Term; Vacancies; Salary
Section 4. (A) Every elector who at the time of the general election shall have reached the age of eighteen years shall be eligible to membership in the House of Representatives. Every elector who at the time of the general election shall have reached the age of twenty-one years shall be eligible to membership in the Senate.

(B) No person shall be eligible to membership in the legislature unless at the time of the general election he shall have been a resident of the state for two years and actually domiciled within the legislative district from which he seeks election for one year immediately preceding his election. However, at the next regular election for members of the legislature following the reapportionment of the legislature, a person may qualify for election to either house of the legislature from any district created in whole or in part from the district existing prior to reapportionment in which such person was domiciled, if he was domiciled in that prior district for at least one year immediately preceding his election. The seat of any member who changes his domicile from the legislative district which he represents shall be vacated thereby, any declaration of a retention of domicile to the contrary notwithstanding.

(C) The members of the legislature shall be elected for terms of four years each.

(D) When a vacancy occurs in either house of the legislature, the remainder of the term shall be filled only by election, as provided by law.

(E) The members of the legislature shall be compensated by an annual salary which shall be fixed by a majority vote of the elected members of each house of the legislature. The amount fixed may be changed only by two-thirds of the elected members of each house of the legislature, to be effective at a term other than that for the members presently serving.

Read.

And the Chair announced that the following amendment under consideration upon adjournment was before the Convention.

FLOOR AMENDMENTS

Amendments proposed by Delegate Roy to Committee Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

AMENDMENT No. 2—
On page 2, delete line 32 in its entirety and on page 3, delete lines 1 through 5 both inclusive, in their entirety and insert in lieu thereof the following:
"Section 4. (A) Every elector who at the time of election shall have reached the age of eighteen years shall be eligible to membership in the House of Representatives or the Senate."

On motion of Delegate Roy the amendments were withdrawn.

Delegate Taylor sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Taylor, Landry, Roy, Lanier, Fulco, Bollinger, Burns, Denney, Tobias, Avant, Chehardy, D'Geraldo, Toon, Alario, Alexander and Warren to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
Delete Amendment No. 1 proposed by Delegate Taylor and adopted by the convention on July 19, 1973.

AMENDMENT No. 2—
On page 2, delete line 32 in its entirety and on page 3, delete lines 1 through 5 both inclusive, in their entirety and insert in lieu thereof the following:
"Section 4. (A) Every person, who is an elector and who has reached the age of eighteen years at the time of qualifications for the office, shall be eligible for membership in the legislature.

AMENDMENT No. 3—
Delete Amendments No. 1 and 2 proposed by Delegate Landry and adopted by the convention on July 19, 1973.

On motion of Delegate Roy the amendments were adopted.

Delegate Roy moved to reconsider the motion by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Committee Proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, after the partial word "lion" at the begin-
18th Days Proceedings—July 20, 1973

nig of line 18, strike out the period "." and before the word
"The" insert the following:
"and if he was a resident of the state for at least two years
immediately preceding his election."

On motion of Delegate Casey the amendment was adopted.

Delegate Casey moved to reconsider the motion by which
the amendment was adopted, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Abraham sent up floor amendments, which were
read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Abraham to Committee
Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**
On page 3, line 10, at the beginning of the line after the
word "election" insert a period "." and delete the remainder
of the line.

**AMENDMENT No. 2—**
On page 3, delete 11 through 17, both inclusive, in
their entirety.

**AMENDMENT No. 3—**
On page 3, line 18, at the beginning of the line before
the word "The" delete the word "tion" and delete the peri-
ded "."

**AMENDMENT No. 4—**
Strike out Floor Amendment No. 1 proposed by Delegate

Delegate Abraham moved the adoption of the amendments.

Delegate De Blieux objected.

**Motion**

Delegate Fontenot moved the previous question on the
amendments.

Delegate De Blieux objected.

By a vote of 52 yeas and 55 nays the Convention refused
to order the previous question at this time.

On motion of Delegate Abraham a division of the question
was ordered.

Delegate Abraham moved the adoption of the Amendment
No. 1.

Delegate De Blieux objected.

By a vote of 4 yeas and 104 nays the amendment was
rejected.

Delegate Burns moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Abraham moved the adoption of Amendment Nos.
2, 3 and 4.

Delegate De Blieux objected.

By a vote of 29 yeas and 82 nays the amendments were
rejected.

Delegate Burns moved to reconsider the vote by which
the amendments were rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Drew sent up floor amendments, which were
read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Drew to Committee
Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**
On page 3, delete lines 11 through 17, both inclusive, in
their entirety and insert in lieu thereof the following:
"However, following reapportionment, at the next regular
election for members of the legislature a candidate shall
run from the district in which he is domiciled."

**AMENDMENT No. 2—**
On page 3, line 18, at the beginning of the line, delete the
word "tion" and the period "."

On motion of Delegate Drew the amendments were with-
drawn from the files of the Convention.

Delegate Drew sent up floor amendments, which were
read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Drew to Committee
Proposal No. 3 by Delegate Blair.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**
On page 3, delete lines 11 through 17, both inclusive, in
their entirety and insert in lieu thereof the following:
"However, following reapportionment, at the next regular
election for members of the legislature a candidate shall
run from the district in which he is domiciled."

**AMENDMENT No. 2—**
On page 3, line 18, at the beginning of the line, delete the
word "tion" and the period "."

**AMENDMENT No. 3—**
Strike out Floor Amendment No. 1 proposed by Delegate

Delegate Drew moved the adoption of the amendments.

Delegate Fontenot objected.

By a vote of 46 yeas and 63 nays the amendments were
rejected.

Delegate Rachal moved to reconsider the vote by which
the amendments were rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate J. Jackson sent up floor amendments, which
were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate J. Jackson to Committee
Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**
On page 3, delete lines 11 through 17, both inclusive, in
their entirety and insert in lieu thereof the following:
"However, at the first general election for members of
the legislature following the reapportionment of the legis-
lature, any person may qualify for election to either house
of the legislature from the district in which such person is
then domiciled, if he was domiciled in the prior district for
at least one year immediately preceding his qualifica-
tion."

On motion of Delegate J. Jackson the amendment was
withdrawn.

**Delegate Miller in the Chair**

Delegate Lennox sent up floor amendments, which were
read as follows:
18th Days Proceedings—July 20, 1973

FLOOR AMENDMENTS

Amendments proposed by Delegate Lennox to Committee Proposal No. 3 by Delegate Blair.

Amend reengrossed proposal as follows:

**AMENDMENT No. 1—**
On page 3, line 8, at the end of the line after the word "and" delete the word "actually"

**AMENDMENT No. 2—**
On page 3, line 9, at the beginning of the line before the words "the legislative" delete the words "domiciled within"

**AMENDMENT No. 3—**
On page 3, line 16, immediately after the word "person" and before the comma "," delete the word "domiciled" and insert in lieu thereof the word "resided"

**AMENDMENT No. 4—**
On page 3, line 16, immediately after the words "if he" and before the words "in that" delete the words "was domiciled" and insert in lieu thereof the words "had resided"

**AMENDMENT No. 5—**
On page 3, line 20, at the end of the line after the word "retention of" delete the word "domiciled" and insert in lieu thereof the word "residence"

Delegate Lennox moved the adoption of the amendments.

By a vote of 20 yeas and 79 nays the amendments were rejected.

Delegate Abraham moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lennox sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Denney to Committee Proposal No. 3 by Delegate Blair.

Amend reengrossed proposal as follows:

**AMENDMENT No. 1—**
On page 3, line 7, after the words "the time of" and before the words "the general election" delete the words "the general election" and insert in lieu thereof the words "qualification for office"

Delegate Denney moved the adoption of the amendment.

Delegate Conrey objected.

By a vote of 66 yeas and 26 nays the amendment was adopted.

Delegate Denney moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Denney sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Denney to Committee Proposal No. 3 by Delegate Blair.

Amend Reengrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 3, line 11, immediately after the word "preceeding" strike out "the general election" and insert in lieu thereof "qualification for office."

On motion of Delegate Denney the amendment was adopted.

Delegate Denney moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Warren sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Warren to Committee Proposal No. 3 by Delegate Blair.

Amend reengrossed proposal as follows:

**AMENDMENT No. 1—**
On page 3, delete lines 11 through 17, both inclusive, in their entirety and at the beginning of line 18 delete the word "tion."

**AMENDMENT No. 2—**
Strike out Convention Floor Amendment No. 1 proposed by Delegate Casey and adopted by the Convention July 20, 1973.

Delegate Warren moved the adoption of the amendments.

Delegate De Blieux objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

*YEAS*

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<tr>
<td>Abraham</td>
<td>Haynes</td>
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<td>Alexander</td>
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<td>Grier</td>
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Total—34.

*NAYS*

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<tr>
<td>Anezalone</td>
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Total—73.

*ABSENT*

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<td>Mr. Chairman</td>
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<tr>
<td>Aertker</td>
<td>Arnette</td>
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<tr>
<td></td>
<td>Brown</td>
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<td></td>
<td>Cannon</td>
</tr>
</tbody>
</table>

182
Conino LeBlieu Thompson
Dennis Leithman Toca
Duval Lowe Triche
Fowler Miller Wall
Guidry Reeves Womack
Jackson, A. Robinson Segura
Total—25.

And the amendments were rejected.
Delegate De Bieux moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Rayburn moved for a suspension of the rules in order to limit debate on the amendments to five minutes on today and the following two working days.

Delegate Jenkins objected.
By a vote of 76 yeas and 23 nays the rules were suspended.
Delegate Rayburn moved that debate be limited to five minutes on Saturday and the next two working days, on amendments.

Delegate Jenkins objected.
By a vote of 82 yeas and 26 nays the Convention limited debate to five minutes on amendments for Saturday and the next two working days on amendments.
Delegate Rayburn moved to reconsider the motion by which the amendment was carried, and on his own motion, the motion to reconsider was laid on the table.
Delegate Anzalone sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Anzalone to Committee Proposal No. 3 by Delegate Blair, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, line 23, after the period “,” add the following:
"The term of office of each legislator shall begin at 10:00 a.m. on the second Monday in March next following the election."

Delegate Abraham moved the adoption of the amendment.
Delegate Roy objected.
By a vote of 37 yeas and 63 nays the amendment was rejected.
Delegate Bollinger moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Fayard sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Fayard to Committee Proposal No. 3 by Delegate Blair, et al.
Amendment reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 27 through 32, both inclusive, in their entirety, and on page 4, delete line 1 in its entirety and insert in lieu thereof the following:
"(E) Each member of the legislature shall be paid an annual salary, which shall be fixed, initially, by a favorable vote of a majority of the members elected to each house. Thereafter, the salary may be changed by a favorable vote of two-thirds of the members elected to each house, the change to be effective only at the beginning of the next succeeding term for which members of the legislature are elected."

Delegate Fayard moved the adoption of the amendment.
Delegate Bollinger objected.
By a vote of 44 yeas and 56 nays the amendment was rejected.
Delegate Bollinger moved to reconsider the vote by which the amendments was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Asseff sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Asseff to Committee Proposal No. 3 by Delegate Blair, et al.
Amend Reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, strike out lines 27 through 32 in their entirety and on page 4 strike out line 1 in its entirety.

Delegate Asseff moved the adoption of the amendment.
Delegate Fulco objected.
By a vote of 82 yeas and 15 nays the amendment was adopted.
Delegate Asseff moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Chatelain moved the previous question on the entire subject matter.
Delegate Juneau objected.
By a vote of 72 yeas and 22 nays the previous question was ordered on the entire subject matter.
Committee Proposal No. 3, Section 4, was read, as amended.
Delegate Juneau moved the passage of the Section.

ROLL CALL
The roll was called with the following result:
Delegate Dennery sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—

On page 4, line 8, immediately after the word “house” and before the word “on”, insert the words “as equally as practical”

Delegate Dennery moved the adoption of the amendment. Delegate Thompson objected.

By a vote of 83 yeas and 10 nays the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Fontenot moved to revert to other orders of business at this time.

Delegate Jack objected.

By a vote of 6 yeas and 81 nays the Convention refused to revert to other orders of business at this time.

Delegate J. Jackson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—

On page 4, line 11 after the words “plan the” delete the word “supreme” and delete line 12 in its entirety and insert in lieu thereof the words “Louisiana Supreme Court for review.”

Delegate LeBreton moved the adoption of the amendment, Delegate O’Neill objected.

By a vote of 28 yeas and 81 nays the amendment was rejected.

Delegate O’Neill moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Stovall, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

**Introduction of Resolutions, Delegate and Committee Resolutions**

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

**COMMITTEE RESOLUTION No. 10**—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics and Delegates:

**A RESOLUTION**

To amend and adopt Rule No. 30 of the Standing Rules of the Constitutional Convention to provide for the limitation of debate.

Read.

Lies over under the rules.
DELEGATE RESOLUTION No. 32—
Introduced by Delegates Gravel, Lanier, Jack and Newton:
A RESOLUTION
To amend and readopt Rule No. 46 of the Standing Rules of the Constitutional Convention to provide that floor amendments be distributed one calendar day before introduction.

Read.

Lies over under the rules.

Motion
On motion of Delegate O'Neill, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

Introduction of Proposals
The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

COMMITTEE PROPOSAL No. 17—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ulo and Zervigon:

A PROPOSAL
Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 15—
Introduced by Delegate Avant:
A PROPOSAL
To provide for making appeals from the Public Service Commission.

Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 16—
Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Mauberret, Slay and Planchar:
A PROPOSAL
Making provisions for homestead exemptions.

Read.
Lies over under the rules.

COMMITTEE NOTICE
Delegate Dennis, chairman of the Committee on Judiciary, sent up the following notice:
The Committee on Judiciary will meet on Wednesday, July 25, 1973, after adjournment in Committee Room 1, State Capitol and will consider the following agenda:

AGENDA
Public hearing on Committee Proposal No. 6.

Respectfully submitted,
JAMES DENNIS,
Chairman of the Committee on the Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Stovall, chairman of the Committee on Rules, Credentials and Ethics, sent up the following notice:
The Committee on Rules, Credentials and Ethics will meet on Wednesday, July 25, at adjournment in the Senate Lounge and will consider the following agenda:

AGENDA
The Resolutions which have been referred to the Committee.

Respectfully submitted,
JAMES L. STOVALL,
Chairman of the Committee on Rules, Credentials and Ethics

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegates Lambert and Stagg, Chairmen of the Committees on Natural Resources and Executive Department, sent up the following notice:
The Committees on Natural Resources and the Executive Department will meet on Thursday, July 26, and Friday, July 17, 1973, at 9:00 o'clock in Committee Rm. 1 and will consider the following agenda:

AGENDA
Public Service Commission provisions to be considered by a joint committee hearing of the two full committees.

Respectfully submitted,
LOUIS JOSEPH LAMBERT, JR.,
TOM STAGG,
Chairman of the Committee on Natural Resources, and Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Aertker chairman of the Committee on Education and Welfare, sent up the following notice:
The Committee on Education and Welfare will meet on Thursday, July 26, 1973, at 9:00 A.M. o'clock in Committee Room 5, State Capitol and will consider the following agenda:

AGENDA
Consideration of Committee Proposal No. 11.
Retirement and survivor's benefits
Hearing on Education.
Consideration of Delegate Proposals Nos. 8, 9 and 10
Consideration of Committee Proposal No. 7.

Respectfully submitted,
ROBERT J. AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate LeBreton, chairman of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:
The Committee on Legislative Liaison and Transitional Measures has requested a meeting with the Coordinating Committee and have been advised by its Chairman, Mr. Henry, that they will meet on Thursday, July 26, 1973, at
11:00 A.M., o'clock in Committee Room 9 and will consider the following agenda:

**AGENDA**

To have the Legislative Liaison and Transitional Measures present to the Coordinating Committee a plan for transitional measures to be applied to the eight substantive committees with the idea that the Coordinating Committee will advise the Legislative Liaison and Transitional Measures Committee.

Respectfully submitted,
EDWARD F. LeBRETON,
Chairman of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

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**COMMITTEE NOTICE**

Delegate Dunlap, vice-chairman of the Committee on Bill of Rights and Elections, sent the following notice:

The Committee on Bill of Rights and Elections will meet on Thursday, July 26, at 9:00 o'clock a.m. in Committee Rm. 1 and will consider the following agenda:

**AGENDA**

To continue consideration of the election article.

Respectfully submitted,
JUDY DUNLAP,
Vice-chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

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**Adjournment**

Delegate Thompson moved that the Convention do now adjourn until Wednesday, July 25, 1973 at 9:30 o'clock A.M.

As a substitute Delegate Fontenot moved that the Convention do now adjourn until Saturday, July 21, 1973, at 9:30 A.M.

The vote recurred on the motion for adjournment to the longest period.

By a vote of 48 yeas and 42 nays the Convention adjourned until Wednesday, July 25, 1973 at 9:30 o'clock A.M.

And Chairman Henry declared the Convention adjourned to Wednesday, July 25, 1973 at 9:30 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL  
OF THE  
CONSTITUTIONAL CONVENTION  
OF 1973  
OF THE  
STATE OF LOUISIANA  

NINETEENTH DAY’S PROCEEDINGS  

of the Constitutional Convention of 1973  
held in accordance with Act 2 of the 1972  
Regular Session of the Legislature  

The Convention was called to order at 9:30 o’clock a.m., by  
Hon. E. L. Henry, Chairman of the Convention.  

ROLL CALL  
The roll being called, the following delegates answered to  
their names:  

PRESENT  

Delegates—  
Mr. Chairman  
Abraham  
Aertker  
Alario  
Alexander  
Anzalone  
Arnette  
Asseff  
Avant  
Badeaux  
Bel  
Bergeron  
Blair  
Bollinger  
Brien  
Burns  
Burson  
Carmouche  
Casey  
Champagne  
Chatelein  
Chehardy  
Conino  
Conroy  
Corne  
Coven  
D’Gerolamo  
De Blieux  
Dennery  
Dennis  
Derbes  
Deshotels  
Drew  
Dunlap  
Duval  
Edwards  
Elkins  
Fayard  
Flory  
Fontenot  
Fowler  

Fulco  
Gauthier  
Giarrusso  
Ginn  
Gravel  
Grier  
Guarisco  
Hardee  
Hayes  
Haynes  
Heine  
Hernandez  
Jackson, A.  
Jackson, J.  
Jenkins  
Juneau  
Keen  
Kelly  
Kilbourne  
Kilpatrick  
Lambert  
Landrum  
Londry, E. J.  
Lanier  
LeBleu  
LeBreton  
LeBlanc  
Leon  
McDaniel  
Martin  
Mauberret  
Miller  
Mire  
Monson  
Newton  
Nunez  
O’Neill  
Ours  
Perez  
Perkins  
Planchard  
Rachal  
Rayburn  
Reeves  
Reicka  
Robinson  
Roemer  
Roy  
Sandos  
Schmitt  
Segura  
Shannon  
Silverberg  
Singletary  
Smith  
Soniat  
Stagg  
Stephenson  
Stinson  
Sutherland  
Tapper  
Tate  
Taylor  
Thistlethwaite  
Thompson  
Tobias  
Toca  
Toomy  
Triché  
Velasquez  
Vesich  
Vick  
Wall  
Warren  
Weiss  
Willis  
Wisham  
Womaek  
Zervigon  

Total—122.  

ABSENT  

Delegates—  
Arm Dor  
Brown  
Cannon  
Guidry  

Leigh  
Lowe  
Slay  
Slovall  
Ullo  
Winchester  

Total—10.  

The Chairman announced that there were 122 members  
present and a quorum.  

Prayer  
Prayer was offered by Delegate A. Jackson.  

Pledge of Allegiance  
Delegate Sandos led the Convention in reciting the Pledge  
of Allegiance to the Flag of the United States of America.  

Reading of the Journal  
On motion of Delegate Roy, the reading of the Journal was  
dispensed with.  

On motion of Delegate Roy, the Journal of yesterday was adopted.  

Morning Hour  

Petitions, Memorials and Communications  
The following petitions, memorials and communications  
were received and read:  

To my fellow delegates and our staff, all of whom I con-  
sider to be my personal friends and co-workers in this most  
noble endeavor. My family and I wish to thank you for  
the many kindnesses, flowers, prayers, and gracious notes  
in the days following my heart attack July 6.  
My present schedule calls for very restricted activities. I  
have insisted that my reading of the proceedings of the  
Convention be granted me and that I be allowed to express  
my views by correspondence. I hope to return to our body  
as soon as my God and my physician will allow. Although I  
may be absent from the session, rest assured that my ideas  
will be presented through associates and I shall participate  
as much as possible.  

Thank you again for your prayers and kindness.  

HARVEY W. CANNON, JR.  
Supreme Court  
STATE OF LOUISIANA  
New Orleans  

Justice Albert Tate  
New Orleans, La.  

Dear Justice Tate:  

I have been advised that the Constitutional Convention is  
considering a proposal, whereby the legislature will reap-  
portion itself periodically, but if it fails to do so that the  
State Supreme Court will have the duty to reapportion on  
the petition of the Attorney General.  

I am opposed to such a provisor for at least two reasons:  

(1) It violates, at least in spirit, the separation of powers  
between the legislative and judicial branches.  

(2) It places upon this court the administrative or political  
duty of reapportionment, in a proceeding outside the  
form of a law suit between competing parties.  

I trust that you will give this matter earnest consideration  
and, if you think it advisable, you may acquaint the mem-  
bers of the convention with my views on the matter.  

Sincerely,  

JOE W. SANDERS  
Chief Justice  

JWS/ph  

Reports of Committees  
The following reports of committees were received and  
read:  

Mr. Robert Aertker, chairman, on behalf of the Committee  
on Education and Welfare, submitted the following report:  

State of Louisiana  
Constitutional Convention  
of 1973  


To the Chairman and Delegates of the Constitutional Conven-  
tion:
Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**COMMITTEE PROPOSAL No. 17—**
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates, Buison, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannen, Stephenson, Taylor, Toomy, Uilo and Zervigon:

**A PROPOSAL**
Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Under the rules the above Proposal was referred to the Committee on Local and Parochial Government.

**DELEGATE PROPOSAL No. 15—**
Introduced by Delegate Avant:

**A PROPOSAL**
To provide for making appeals from the Public Service Commission.

Read.

Under the rules the above Proposal was referred to the Committee on the Executive Department.

**DELEGATE PROPOSAL No. 16—**
Introduced by Delegates Alario, Chehardy, Edwards, Mire, Rayburn, Nunez, Winchester, Maubreter, Slay and Planchard:

**A PROPOSAL**
Making provisions for homestead exemptions.

Read.

Under the rules the above Proposal was referred to the Committee on Revenue, Finance and Taxation.

Unfinished Business

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 3—**
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates, Casey, Foyard, Fuille, Ginn, Juneau, Kilpatrick, Landrum, LeBreton and O'Neil:

**A PROPOSAL**
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Section 5. Legislative Apportionment; Judicial Review; Apportionment by Supreme Court

Section 5. (A) Not later than the end of the first year following the year in which the population of this state is reported to the president of the United States for each decennial federal census, the legislature shall apportion the representation in each house on the basis of the total state population as shown by the census. Within ten days after the legislature adopts an apportionment plan the presiding officers of the two houses shall submit the plan to the supreme court for review.

(B) If the legislature fails to apportion itself, the supreme court, upon petition therefor, by the attorney general within ten days after the close of the year above specified shall apportion each house thereof as provided in Paragraph (A) of this Section.
(C) The procedure for review and petition shall be provided by law.

Read.

Delegate Lanier sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Lanier, Kean, Duval, D'Gerolamo, Landry, Silverberg, Gravel, Fulco, Bollinger, Schmitt, Conino, Ulio, Chehardy, Alario, Guarisco and Zervigon to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1 —
On page 4, line 9, after the word "census," delete the remainder of line 9 and delete lines 10 through 12, both inclusive, in their entirety.

AMENDMENT No. 2 —
On page 4, line 18, after the words "procedure for" and before the word "petition" delete the words "review and"

AMENDMENT No. 3 —
On page 4, at the end of line 13, delete the words "the supreme" and at the beginning of line 14, delete "court," and insert in lieu thereof the following:

"the Louisiana Supreme Court,"

Delegate Duval moved the adoption of the amendment.
Delegate Gravel objected.

By a vote of 75 yea's and 6 nays the amendments were adopted.

Delegate Duval moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate J. Jackson sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 3 by Delegate Blair:

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1 —
On page 4, delete lines 13 and 14 in their entirety and insert in lieu thereof the following:

"(B) If the legislature fails to apportion itself, the Louisiana Supreme Court, upon petition therefor, by the attorney general or a qualified elector, within"

Delegate J. Jackson moved the adoption of the amendment.
Delegate Gravel objected.

By a vote of 40 yea's and 41 nays the amendment was rejected.

Delegate Munson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1 —
On page 4, delete lines 13 through 17, both inclusive, in their entirety, and insert in lieu thereof the following:

"(B) If the legislature fails to apportion itself as required in Paragraph (A) of this Section, the supreme court, upon petition by any elector, shall apportion each house as provided in Paragraph (A) of this Section."
19th Days Proceedings—July 25, 1973

AMENDMENT No. 3—
Strike out Floor Amendment No. 1 proposed by Delegate Avant and adopted by the Convention on July 25, 1973.

Delegate Gravel moved the adoption of the amendments.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
<th>Nays</th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Kilpatrick</td>
<td>Roemer</td>
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<tr>
<td>Alario</td>
<td>Lambert</td>
<td>Roy</td>
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<tr>
<td>Asseff</td>
<td>Landry, A.</td>
<td>Shannon</td>
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<td>Brien</td>
<td>Lanier</td>
<td>Silverberg</td>
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<td>Chatelain</td>
<td>LeBlanc</td>
<td>Smith</td>
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<td>D’Gerolamo</td>
<td>Leatham</td>
<td>Slagg</td>
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<td>Drew</td>
<td>Lennox</td>
<td>Taylor</td>
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<td>Dunlap</td>
<td>Munson</td>
<td>Tobias</td>
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<td>Fulco</td>
<td>Newton</td>
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<td>Ginn</td>
<td>Nunez</td>
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<td>Gravel</td>
<td>Perez</td>
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<td>Guisarco</td>
<td>Pianchard</td>
<td>Willis</td>
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<td>Hernandez</td>
<td>Rayburn</td>
<td>Womaek</td>
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<td>Jack</td>
<td>Reeves</td>
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<td>Total—41.</td>
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Delegates—

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<tr>
<th>Delegates—</th>
<th>Yeas</th>
<th>Nays</th>
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<td>Abraham</td>
<td>Denner</td>
<td>Landry, E. J.</td>
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<td>Aerkter</td>
<td>Dennis</td>
<td>McDaniels</td>
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<td>Anzalone</td>
<td>Deshotels</td>
<td>Martin</td>
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<td>Arnette</td>
<td>Duval</td>
<td>Mauburret</td>
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<td>Avant</td>
<td>Fayard</td>
<td>Miller</td>
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<td>Badeaux</td>
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<td>Blair</td>
<td>Gauthier</td>
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<td>Bollinger</td>
<td>Giarrusso</td>
<td>Sandor</td>
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<td>Burns</td>
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<td>Conino</td>
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<td>Corne</td>
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<td>Cowen</td>
<td>Kilbourne</td>
<td>Weiss</td>
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<tr>
<td>De Blieux</td>
<td>Total—37.</td>
<td>Zervigon</td>
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<tr>
<th>Delegates—</th>
<th>Absent</th>
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<tr>
<td>Alexander</td>
<td>Jackson, A.</td>
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<td>Brown</td>
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<td>Burrus</td>
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<td>Cannon</td>
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<td>Haynes</td>
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<td>Jackson, J.</td>
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<td>Total—34.</td>
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</table>

And the amendments were rejected.

Delegate De Blieux moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, delete lines 13 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) The supreme court shall review the apportionment plan and, in accordance with its rules, shall permit adversary interests to present their views and, within thirty days from the filing of the review, shall enter its judgment. A judgment of the supreme court of the state determining the apportionment to be valid shall be binding upon all the citizens of the state. Should the supreme court determine that the apportionment made by the legislature is invalid, the court shall, not later than sixty days after receiving the plan, file with the secretary of state an order making such apportionment.”

On motion of Delegate Derbes the amendment was withdrawn from the files of the Convention.

Delegate De Blieux sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate De Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—


AMENDMENT No. 2—

On page 4, line 18, add the following:

“(C) The procedure for review and petition shall be provided by law.”

Delegate De Blieux moved the adoption of the amendments.

Delegate A. Landry objected.

By a vote of 33 yees and 24 nays the amendments were adopted.

Delegate De Blieux moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Newton moved that final action be postponed on Committee Proposal No. 3, Section 5 at this time.

Delegate Shannon moved the previous question on the entire subject matter.

By a vote of 46 yees and 45 nays the Convention ordered the previous question on the entire subject matter.

The vote recurred on the original motion of Delegate Newton to postpone action on Section 5.

By a vote of 32 yees and 66 nays the Convention refused to postpone final action on Committee Proposal No. 3, Section 5, at this time.

The vote then recurred on the adoption of Committee Proposal No. 3, Section 5.

Committee Proposal No. 3, Section 5, was read, as amended.

Delegate O’Neill moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Abraham</td>
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<td>Aerkter</td>
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19th Days Proceedings—July 25, 1973

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Name</th>
<th>Name</th>
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<tbody>
<tr>
<td>Avant</td>
<td>Gauthier</td>
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<td>Sandoz</td>
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<td>Herreandez</td>
<td>Schmidt</td>
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Total—82.

NAYS

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<tr>
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<tr>
<td>Assoff</td>
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Total—12.

ABSENT

<table>
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<tbody>
<tr>
<td>Alexander</td>
<td>Lambert</td>
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<td>Armentor</td>
<td>Landrum</td>
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<td>Hayes</td>
<td>Roemer</td>
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<td>Haynes</td>
<td>Segura</td>
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<tr>
<td>Jackson, A.</td>
<td>Slay</td>
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</tbody>
</table>

Total—33.

And the Chair declared that the above Section was passed.

Delegate Blair moved to reconsider the vote by which the above Section was passed, and on his own motion, the motion to reconsider was laid on the table.

Section 6. Judging Qualifications and Election; Procedural Rules; Discipline; Officers

Section 6. (A) Each house shall be the judge of the qualifications and elections of its own members, determine the rules of its procedure, and may punish its members for disorderly conduct or contempt and, with the concurrence of two-thirds of its elected members, may expel a member. Expulsion shall create a vacancy in the office.

(B) Each house shall have power to compel the attendance and testimony of witnesses and the production of books and papers before such house as a whole, before any committee thereof, or before joint committees of the houses and shall have the power to punish for contempt those in willful disobedience of its orders.

(C) Each house shall choose its own officers, including a permanent presiding officer selected from its membership, who shall be designated in the Senate as the president of the Senate and in the House as the speaker of the House of Representatives. The clerical officers of the two houses shall be the clerk of the House of Representatives and the secretary of the Senate, each of whom shall have the power to administer oaths.

Read.

Delegate Avant sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant and Guarisco to Committee Proposal No. 3 by Delegate Blair et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 25, immediately after the word "contempt" insert a period ";" and delete the remainder of the line and delete lines 26 and 27 in their entirety.

Delegate Guarisco moved the adoption of the amendment.

Delegate Casey objected.

By a vote of 30 yeas and 60 nays the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Casey to Committee proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 24, after the comma "," following the word "procedure" and before the word "and" insert the following: "not inconsistent with the provisions of this constitution,"

Delegate Casey moved the adoption of the amendment.

Delegate Denney objected.

By a vote of 76 yeas and 13 nays the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Tobias to Committee Proposal No. 3 by Delegates Blair, et al.

Amend Reprinted as Reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 32, immediately after the word "punish" and before the word "for" insert the words "by imprisonment"

**AMENDMENT No. 2—**

On page 5, line 1, at the end of the line, change the period "." to a comma "," and add the following: "but such imprisonment shall not exceed ten days for each offense."

Delegate Tobias moved the adoption of the amendments.

Delegate Blair objected.

By a vote of 15 yea and 77 nays the amendments were rejected.

Delegate Casey moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.
Committee Proposal No. 3, Section 6, was read, as amended.

Delegate Blair moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman Abraham
Abraham Alarco
Alarco Anzalone
Anzalone Avant
Avant Badeaux
Badeaux Bel
Bel Bergeron
Bergeron Blair
Blair Brien
Brien Burns
Burns Burston
Burston Carmouche
Carmouche Casey
Casey Champagne
Champagne Chatelain
Chatelain Chehary
Chehary Conino
Conino Corne
Corne Cowen
Cowen D’Gerolamo
D’Gerolamo De Bieles
De Bieles Denney
Denney Dennis
Dennis Derbes
Derbes Deshotels
Deshotels Drew
Drew Dunlap
Dunlap Duval
Duval Edwards
Edwards Elkins
Elkins Planchard
Planchard Rachal
Rachal Rayburn
Rayburn Rieck
Rieck Robinson
Robinson Sandoz
Sandoz Schmitt
Schmitt Shannon
Shannon Singletary
Singletary Smith
Smith Soniat
Soniat Stagg
Stagg Stephenson
Stephenson Sinning
Sinning Sutherland
Sutherland Tate
Tate Taylor
Taylor Thistlethwaite
Thistlethwaite Thompson
Thompson Tobia
Tobia Toca
Toca Toomy
Toomy Velazquez
Velazquez Vick
Vick Weiss
Weiss Willis
Willis Wisham
Wisham Zervigon
Zervigon

NAYS

Delegates—
Asseff Flory
Asseff Flory

ABSENT

Delegates—
Achtert Alexander
Achtert Alexander Armetter
Armetter Bollinger
Bollinger Brown
Brown Cannon
Cannon Gravel
Gravel Guidry
Guidry Haynes
Haynes Hernandez
Hernandez Jackson, J.
Jackson, J. Juneau
Juneau Total—91.

NAYS

Delegates—
Kean Kilpatrick
Kean Kilpatrick Landrum
Landrum Landry, A.
Landry, A. LeBreton
LeBreton Leigh
Leigh Lowe
Lowe Martin
Martin Miller
Miller Ours
Ours Osso
Osso Ours
Ours Roemer
Roemer Reeves
Reeves Rieck
Rieck Robinson
Robinson Schmitt
Schmitt Shannon
Shannon Singletary
Singletary Smith
Smith Soniat
Soniat Stagg
Stagg Stephenson
Stephenson Tate
Tate Taylor
Taylor Thistlethwaite
Thistlethwaite Thompson
Thompson Toca
Toca Toomy
Toomy Triche
Triche Vick
Vick Warren
Warren Womack
Womack Zervigon
Zervigon

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman Abraham
Abraham Alarco
Alarco Anzalone
Anzalone Armetter
Armetter Badeaux
Badeaux Bel
Bel Blair
Blair Burns
Burns Burston
Burston Carmouche
Carmouche Casey
Casey Chehary
Chehary Conino
Conino Cowen
Cowen D’Gerolamo
D’Gerolamo De Bieles
De Bieles Deshotels
Deshotels Dunlap
Dunlap Duval
Duval Edwards
Edwards Elkins
Elkins Planchard
Planchard Rachal
Rachal Rayburn
Rayburn Rieck
Rieck Robinson
Robinson Sandoz
Sandoz Schmitt
Schmitt Shannon
Shannon Singletary
Singletary Smith
Smith Soniat
Soniat Stagg
Stagg Stephenson
Stephenson Tate
Tate Taylor
Taylor Thistlethwaite
Thistlethwaite Thompson
Thompson Toca
Toca Toomy
Toomy Triche
Triche Vick
Vick Warren
Warren Womack
Womack Zervigon
Zervigon

NAYS

Delegates—
Asseff Flory
Asseff Flory

ABSENT

Delegates—
Achtert Alexander
Achtert Alexander Armetter
Armetter Bollinger
Bollinger Brown
Brown Cannon
Cannon Gravel
Gravel Guidry
Guidry Haynes
Haynes Hernandez
Hernandez Jackson, J.
Jackson, J. Juneau
Juneau Total—39.

And the Chair declared that the above Section was passed.

Delegate Blair moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 7. Privileges and Immunities
Section 7. The members of the legislature shall in all cases, except felony, be privileged from arrest during their attendance at the sessions and committee meetings of their respective houses and in going to and returning from the same. No member shall be questioned in any place for speech or debate in either house.

Read.

Delegate Casey moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman Abraham
Abraham Alarco
Alarco Anzalone
Anzalone Armetter
Armetter Badeaux
Badeaux Bel
Bel Blair
Blair Burns
Burns Burston
Burston Carmouche
Carmouche
19th Days Proceedings—July 25, 1973

Casey
Chateauneuf
Conino
Corne
Cowan
D’Gerolamo
De Bieux
Denney
Dennis
Derbes
Deshotels
Dunlap
Edwards
Elkins
Fayard
Florey
Fontenot
Fowler
Fulco
Gauthier
Giarrusso
Ginn
Grier
Hardee
Hayes
Heine
Total—92.

Delegates—
Champagne
Guarisco
Total—4.

Delegates—
AAther
Auker
Armento
Assent
Brown
Cannon
Chehardy
Conroy
Drew
Duval
Gravel
Guidry
Total—36.

NAYS

O’Neill

ABSENT

Auker
Auker
Armento
Assent
Brown
Cannon
Chehardy
Conroy
Drew
Duval
Gravel
Guidry
Total—36.

And the Chair declared that the above Section was passed.

Delegate Juneau moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 9. Quorum; Compulsory Attendance; Journal: Adjournment; Consent of Other House

Section 9. (A) Not less than a majority of the elected members of each house shall form a quorum to transact business, but a smaller number may adjourn from day-to-day and shall have power to compel the attendance of absent members.

(B) Each house shall keep a journal of its proceedings which shall be published from day-to-day and which shall accurately reflect the proceedings of that house, including all record votes. A record vote is a vote by yea and nays, with said yea and nays being published in the journal.

(C) Whenever the legislature is in session neither house shall adjourn for more than three days or to any other place than that in which it is then meeting, without the consent of the other house.

Read.

Delegate Blair sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Blair to Committee Proposal No. 3 by Delegate Blair:

Amend as printed as reengrossed proposal as follows:

AMENDMENT No. 1—
On Page 5, delete lines 29 through 32 in their entirety and insert in lieu thereof the following:

“Each house shall keep a journal of its proceedings, and cause the same to be published immediately after the close of each session. The journal shall accurately reflect the proceedings of that house, including all record votes. A record vote is a vote by yea and nays, with said yea and nays being published in the journal.”

AMENDMENT No. 2—
On Page 6, delete line 1 in its entirety.

On motion of Delegate Blair the amendments were adopted.

Delegate Blair moved to reconsider the motion by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 9, was read, as amended.

Delegate Blair moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Edwards
Abraham
Alario
Alexander
Unalbone
Assent
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burson
Carmouche
Casey
Champagne
Chateauneuf
Chehardy
Conroy
Corne
Cowen
De Bieux
Dennis
Derbes
Deshotels
Dunlap
Duval

Total—96.

NAYS

Toomay

ABSENT

Auker
Armento
Arnette
Brown
Cannon
Denney
Gauthier
Gravel
Guidry
Haynes
Hernandez
Jenkins

Total—35.

And the Chair declared that the above Section was passed.

Delegate Blair moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.
Section 10. Legislative Auditor

Section 10. There shall be a legislative auditor who shall be elected by the consent of a majority of the elected members of each house and may be removed by the consent of two-thirds of the elected members of each house. The legislative auditor shall be responsible solely to the legislature and shall serve as fiscal advisor to the legislature. He shall perform such duties and functions relating to the auditing of the fiscal records of state and local governments as are provided by law.

Read.

Delegate Newton sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Newton to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, at the end of line 9 delete the word "two" and at the beginning of line 10 delete the word "thirde" and insert in lieu thereof the word "majority"

Delegate Newton moved the adoption of the amendment.

Delegate Casey objected.

Delegate Stagg moved the previous question on the amendment.

Delegate Nunez objected.

By a vote of 29 yeas and 64 nays the Convention refused to order the previous question on the amendment.

Delegate Newton moved the adoption of the amendment.

Delegate Casey objected.

By a vote of 39 yeas and 62 nays the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Weiss sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Weiss, Schmitt, Silverberg, Roy to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, line 7, immediately after "Section 10." and before the words "There shall" add "(A)"

AMENDMENT No. 2—

On page 6, between lines 15 and 16, add the following:

"(B) The legislative auditor shall conduct an audit annually of all compensation paid from state funds, to all persons except in the classified service of the state."

Delegate Weiss moved the adoption of the amendments.

Delegate Casey objected.

By a vote of 27 yeas and 79 nays the amendments were rejected.

Delegate Casey moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alario sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Alario and Munson to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 2—

On page 6, line 7, immediately after the word "and" delete the word "shall" and insert in lieu thereof the word "may"

Delegate Alario moved the adoption of the amendments.

On request of Delegate Arnette a division of the question was ordered.

Delegate Alario moved the adoption of Amendment No. 1.

Delegate Arnette objected.

By a vote of 36 yeas and 76 nays Amendment No. 1 was rejected.

Delegate Arnette moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alario moved the adoption of Amendment No. 2.

Delegate Arnette objected.

By a vote of 99 yeas and 5 nays the amendment was adopted.

Delegate Alario moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 10, was read, as amended.

Read in full.

Delegate Blair moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Drew</td>
<td>Martin</td>
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<td>Abraham</td>
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<td>Edwards</td>
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<td>De Blieux</td>
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<td>Dennis</td>
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<td>Lennox</td>
<td>Thompson</td>
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<tr>
<td>Deshotels</td>
<td>McDaniel</td>
<td>Tobias</td>
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</tbody>
</table>

194
Delegate Blair moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section II. Salaries of Public Officers: Change

Section II. Except as otherwise provided in this constitution, salaries of public officials may be changed only by two-thirds vote of the elected members of each house of the legislature; provided that the salaries of public officers shall not be reduced during the term for which they are elected or appointed.

Read.

Delegate De Blieux sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates De Blieux and Weiss to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 18, immediately after “tion,” delete the remainder of the line and delete line 19 in its entirety and at the beginning of line 20 delete “the legislature,” and insert the following:

“during the regular session of the legislature immediately preceding the election for the governor, the legislature shall fix the salaries of all elected officials whose salaries are fixed by law, which shall be the salaries of those officials until changed by the next regular session immediately preceding the next election for governor.”

Delegate De Blieux moved the adoption of the amendment.

Delegate Womack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Deschanel</td>
<td>Planard</td>
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<td>Fontenot</td>
<td>Riecke</td>
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<td>Grier</td>
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<td>Hardee</td>
<td>Velazquez</td>
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<td>Lambert</td>
<td>Weiss</td>
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<td>De Blieux</td>
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<td>Total—17.</td>
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**NAYS**

<table>
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<tbody>
<tr>
<td>Fulco</td>
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<td>Giarrusso</td>
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<td>Hernandez</td>
<td>Roy</td>
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<td>Jack</td>
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<td>Jackson, A.</td>
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<td>Kelly</td>
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<td>Newton</td>
<td>Womack</td>
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<tr>
<td>Nunez</td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

The amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Assaf sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Assaf to Committee Proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 18 immediately after the words “may be” and before the word “changed” insert the following:

“set by a majority vote of the elected members of each house of the legislature but may be”

**AMENDMENT No. 2—**

On page 6, line 21 immediately after the words “not be” and before the word “during” delete the word “reduced” and insert in lieu thereof the following:

“increased nor diminished”

**AMENDMENT No. 3—**

On page 6, line 22 place a period (.) immediately after the word “elect” and strike out the balance of the sentence.

Delegate Assaf moved the adoption of the amendments.

On motion of Delegate Arnette a division of the question was ordered.

Delegate Assaf moved the adoption of Amendment No. 1.

Delegate Blair objected.
Delegate Blair moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Asseff moved the adoption of Amendment No. 2.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Arnette</td>
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<td>Reeves</td>
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<td>Drew</td>
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<td>Dunlap</td>
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<td>Weis</td>
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And the amendment was rejected.

Delegate Blair moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

On motion of Delegate Asseff Amendment No. 3 was withdrawn.

Delegate Blair sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Drew and Lambert to Committee Proposal No. 3 by Delegates Blair, et al.

Amend Reprinted as Read Proposed as follows:

AMENDMENT No. 1—
On page 6, line 18, after the words "salaries of" and before the word "public" insert the words "appointed or elected"

AMENDMENT No. 2—
On page 6, line 20, after the words "salaries of" and before the word "public" insert the words "appointed or elected"

Delegate Drew moved the adoption of the amendments.

Delegate Abraham objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

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And the amendments were adopted.
Delegate Drew moved to reconsider the vote by which the
amendments were adopted, and on his own motion, the
motion to reconsider was laid on the table.

**Vice-Chairman Miller in the Chair**

Delegate Juneau sent up floor amendments, which were
read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Fayard and Juneau to
Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, strike out lines 16 and 17 in their entirety and
insert in lieu thereof the following:

"Section 11. Salaries of Legislators and Other Public
Officials; Change

Section 11. (A) The members of the legislature shall be
paid an annual salary and such expense allowances as may
be fixed by the legislature, and the salary so paid shall be
in lieu of all per diem.

(B) Except as otherwise provided in this constitu-

**AMENDMENT No. 2—**

On page 6, at the beginning of line 19 delete the word
"two-thirds" and insert in lieu thereof "majority"

Delegate Juneau moved the adoption of the amendments.

Delegate Roy objected.

On motion of Delegate Riecke a division of the question
was ordered.

Delegate Juneau moved the adoption of Amendment No. 1.

Delegate Fontenot objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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**AMENDMENT No. 1—**

And Amendment No. 1 was rejected.

Delegate Rayburn moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Juneau moved the adoption of Amendment No. 2.

Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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197
And Amendment No. 2 was rejected.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Rayburn, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

**Introduction of Resolutions**

**Delegate and Committee Resolutions**

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

**DELEGATE RESOLUTION No. 32—**

By Delegate Leithman:

A RESOLUTION

To provide for the numbering sequence in Rule No. 66 of the Rules of Procedure.

Read.

Lies over the rules.

**Motion**

On motion of Delegate Planchard, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

**DELEGATE PROPOSAL No. 17—**

Introduce by Delegate Planchard:

A PROPOSAL

Making provisions prohibiting lotteries.

Read.

Lies over the rules.

**DELEGATE PROPOSAL No. 18—**

Introduced by Delegates Casey, Alario, Dennery, and Gravel:

A PROPOSAL

Providing for meeting of the legislature for the next three years following the adoption of this constitution.

Read.

Lies over the rules.

**Motion**

On motion of Delegate Dennis the rules were suspended in order to call a meeting of the Committee on the Judiciary, without giving the required twenty-four hour notice.

**COMMITTEE NOTICE**

Delegate Dennis, chairman of the Committee on the Judiciary without giving the required twenty-four hour notice.

The Committee on the Judiciary will meet on Thursday, and Friday mornings, July 26 and 27, 1973, at 9:00 o'clock in Room 206 and will consider the following agenda:

**AGENDA**

Public Hearing on Committee Proposal No. 6.

Respectfully submitted,

JAMES L. DENNIS,
Chairman of the Committee on The Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Motion**

On motion of Delegate Rayburn the rules were suspended in order to call a meeting of the Committee on Revenue, Finance and Taxation, without giving the required twenty-four hour notice.

**COMMITTEE NOTICE**

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Thursday and Friday, July 26 and 27, 1973, at 9:00 o'clock a.m. in Committee Rm. 4 and will consider the following agenda:

**AGENDA**

Continue consideration of proposals relating to Revenue, Finance and Taxation.

Respectfully submitted,

B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Leave of Absence**

Delegate Winchester 1—Day.

**Adjournment**

Delegate Rayburn moved that the Convention do now adjourn until Thursday, July 26, 1973 at 1:00 o'clock P.M.

Which motion was agreed to.

And Vice-Chairman Miller declared the Convention adjourned to Thursday, July 26, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Casey.

Pledge of Allegiance

Delegate Robinson led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Reeves, the reading of the Journal was dispensed with.

On motion of Delegate Reeves, the Journal of yesterday was adopted.

Morning Hour

Introduction of Resolutions

Delegate and Committee Resolution

The following delegates and Chairman on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 34—

Introduced by Delegate Azeff.

A RESOLUTION

To amend Rule No. 76 relative to the previous question.

Read.

Lies under the rules.

Reports of Committees

The following reports of committees were received and read:

Mr. Arnette, vice chairman, on behalf of the Committee on Rules, Credentials and Ethics, submitted the following report:

State of Louisiana

Constitutional Convention

of 1973


To the Chairman and Delegates of the Constitution Convention:

I am directed by your Committee on Rules, Credentials and Ethics to submit the following report:

COMMITTEE RESOLUTION No. 10—

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics and Delegates:

A RESOLUTION

To amend and readopt Rule No. 30 of the Standing Rules of the Constitutional Convention to provide for the limitation of debate.

Reported with amendments.

DELEGATE RESOLUTION No. 29—

Introduced by Delegate Burson:

A RESOLUTION

To amend Rule No. 45 of the Standing Rules of the Constitutional Convention to provide for the adoption of proposals by subsection or paragraph rather than by section.

Reported with amendments.

DELEGATE RESOLUTION No. 30—

Introduced by Delegate Burson:

A RESOLUTION

To amend Rule No. 46 of the Standing Rules of the Constitutional Convention to require that amendments to proposals be germane.

Reported favorably.

DELEGATE RESOLUTION No. 31—

Introduced by Delegate Burson:

A RESOLUTION

To amend and readopt Rule No. 30 of the Standing Rules of
Respectfully submitted,
W. GREGORY ARNETTE, JR.,
Vice-Chairman.

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 33—
By Delegate Leithman:
A RESOLUTION
To provide for the numbering sequence in Rule No. 66 of the Rules of Procedure.

Read.

Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 17—
Introduced by Delegate Planchard:
A PROPOSAL
Making provisions prohibiting lotteries.

Read.

Under the rules the chair ruled that the proposal should be referred to the Committee on Revenue, Finance and Taxation.

Delegate Casey objected and otherwise moved that the Proposal be referred to the Committee on Legislative Powers and Functions.

Delegate Smith objected.

By a vote of 49 yeas and 51 nays the Convention refused to refer the proposal to the Committee on Legislative Powers and Functions. Therefore under the rules the above Proposal was referred to the Committee on Revenue, Finance and Taxation.

DELEGATE PROPOSAL No. 18—
Introduced by Delegates Casey, Alario, Denney and Gravel:
A PROPOSAL
Providing for meeting of the legislature for the next three years following the adoption of this constitution.

Read.

Under the rules the above Proposal was referred to the Committee on Legislative Powers and Functions.

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 12—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources by prohibiting the leasing of convicts and the employment of convicts in competition with private enterprise and by providing for reimbursement to parishes for expenses incurred resulting from crimes committed in penal institutions.

Read.

Reported favorably by the Committee on Education and Welfare.

Ordered engrossed and passed to its third reading.

COMMITTEE PROPOSAL No. 13—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources as providing for the settlement of disagreements through arbitration.

Read.

Reported by substitute by the Committee on Education and Welfare.

The title to the substitute was read as follows:

COMMITTEE PROPOSAL No. 14—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:
A PROPOSAL
Making provisions for human resources through a system of economic security, social welfare, unemployment compensation, and public health.

Read.

Reported favorably by the Committee on Education and Welfare.

Ordered engrossed and passed to its third reading.

Motion

On motion of Delegate Juneau, the Convention altered the Order of Business to take up Resolutions on Third Reading and Final Passage at this time.

Resolutions Delegate and Committee

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

200
Motion
Delegate Juneau moved for a suspension of the rules in order to call Delegate Resolution No. 26 out of its regular order.
Delegate Planchard objected.
By a vote of 61 yeas and 47 nays the Committee refused to suspend the rules at this time.

Motion
On motion of Delegate Juneau, the Convention altered the Order of Business to take up unfinished business at this time.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on.

Proposals
Delegate and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage.

COMMITTEE PROPOSAL No. 3—
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.
Read.

Section 11. Salaries of Public Officers; Change
Section 11. Except as otherwise provided in this constitution, salaries of public officials may be changed only by two-thirds of the elected members of each house of the legislature; provided that the salaries of public officials shall not be reduced during the term for which they are elected or appointed.
Read.
Delegate Asseff sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Asseff to Committee Proposal No. 3 by Delegate Blair, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, strike out lines 16 through 22 in their entirety
Delegate Asseff moved the adoption of the amendment.
Delegate Ricke object to
On motion of Delegate Asseff the amendment was withdrawn.
Delegate Newton sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Newton and Asseff to Committee Proposal No. 3 by Delegate Blair, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 17 through 22 both inclusive in their entirety and insert in lieu thereof the following:
“Section 11. The compensation of appointed or elected public officers shall not be reduced during the term for which they are elected or appointed.”

AMENDMENT No. 2—
On page 6, strike out line 18 and insert in lieu thereof the following:
“Section 11. Compensation of Public Officers; Reduction”

AMENDMENT No. 3—
On page 6, strike out Floor Amendments No. 1 and No. 2 proposed by Mr. Drew and adopted by the Convention on July 25, 1973.
Delegate Newton moved the adoption of the amendments.
Delegate Anzalone objected.
By a vote of 18 yeas and 90 nays the amendments were rejected.
Delegate Anzalone moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Shannon sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegates Shannon and Tobias to Committee Proposal No. 3 by Delegate Blair, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, at the beginning of line 18 after the partial word “tion,” and before the words “of public” delete the word “salaries” and insert in lieu thereof the word “compensation”

AMENDMENT No. 2—
On page 6, line 20 after the words “that the” and before the words “of public” delete the word “salaries” and insert in lieu thereof the word “compensation”

AMENDMENT No. 3—
On page 6, at the end of line 20 after the word “public” delete the word “officers” and insert in lieu thereof the word “officials”
Delegate Shannon moved the adoption of the amendments.
Delegate Flory objected.
By a vote of 33 yeas and 57 nays the amendments were rejected.
Delegate Casey moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Anzalone sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Anzalone to Committee Proposal No. 3 by Delegate Blair, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 16 through 22 both inclusive in their entirety

AMENDMENT No. 2—
Delegate Anzalone moved the adoption of the amendments.
Delegate De Blieux objected.
By a vote of 36 yeas and 63 nays the amendments were rejected.
Delegate Drew moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Newton sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Newton, Asseff, Rayburn and Arlario to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 16 through 22 both inclusive in their entirety and insert in lieu thereof the following:

"Section 11. Compensation of Elected Public Officers; Reduction Section 11. The compensation of elected public officers shall not be reduced during the term for which they are elected."

**AMENDMENT No. 2—**


Delegate Newton moved the adoption of the amendments.

Delegate Drew objected.

By a vote of 50 yeas and 48 nays the amendments were adopted.

Delegate Newton moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 3, Section 11,** was read, as amended.

Delegate Blair moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rayburn</td>
<td>Reeves</td>
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<td>Roy</td>
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<td>Singletary</td>
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<td>Smith</td>
<td>Soniat</td>
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<td>Stagg</td>
<td>Stephenson</td>
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<td>Stovall</td>
<td>Tate</td>
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<td>Thistlethwaite</td>
<td>Tobias</td>
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<td>Planchard</td>
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<table>
<thead>
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<th>Delegates—</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Alario</td>
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<td>Armentor</td>
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<td>Avant</td>
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<tr>
<td>Badeaux</td>
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<td>Bel</td>
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<td>Blair</td>
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<tr>
<td>Bollinger</td>
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<tr>
<td>Brien</td>
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<td>Burns</td>
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<tr>
<td>Burson</td>
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<td>Carmouche</td>
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<tr>
<td>Casey</td>
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<td>Chehardy</td>
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<td>Corne</td>
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<td>Cowen</td>
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<tr>
<td>D'Gerolamo</td>
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<td>Denner</td>
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<td>Dennis</td>
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<td>Deshotels</td>
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<tbody>
<tr>
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<tr>
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<tr>
<td>Chatelain</td>
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<tr>
<td>Conino</td>
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<tr>
<td>De Blieux</td>
<td></td>
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<tr>
<td>Drew</td>
<td></td>
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<td>Dunlap</td>
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<tr>
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<td>O'Neall</td>
<td>Warren</td>
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<td>Lambert</td>
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<td>Cannon</td>
<td>Leithman</td>
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<td>Conroy</td>
<td>Lowe</td>
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<td>Gauthier</td>
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<td>Rachal</td>
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<td>Haines</td>
<td>Roemer</td>
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<td>Total—33.</td>
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</table>

And the Chair declared that the above Section was passed.

Delegate Casey moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 12, Local or Special Laws**

Section 12. The legislature shall pass no local or special law when a general law is or can be made applicable.

Read.

**Motion**

On motion of Delegate Blair Convention action was postponed on Committee Proposal No. 3, Section 12, at this time.

**Section 13, Local or Special Laws; Notice of Intention; Publication**

Section 13. No local or special law shall be introduced into the legislature unless notice of the intention to introduce such law has been published, without cost to the state, in the locality where the matter or things to be affected are situated on two separate days, the last day of which is at least thirty days prior to the introduction of such a bill into the legislature. The notice shall state the substance of the contemplated law. Every such bill shall contain a recital that the notice has been given.

Read.

Delegate Lanier sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Lanier to Committee Proposal No. 3 by Delegates Blair, et al.

Amend reprinted as reengrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 28 delete the words "introduced into" and insert in lieu thereof "enacted by".

**AMENDMENT No. 2—**

On page 6, line 30 after the word "in" and before the word "the" insert "the official journal of".

On motion of Delegate Lanier the amendments were adopted.

Delegate Lanier moved to reconsider the motion by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 3, Section 13,** was read, as amended.

Read in full.

Delegate Juneau moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tr>
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<td>Dunlap</td>
<td>Jenkins</td>
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<td>Elkins</td>
<td>Kilbourne</td>
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<tr>
<td>Fayard</td>
<td>LeBleau</td>
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</table>

<table>
<thead>
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<th>Delegates—</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Alario</td>
</tr>
<tr>
<td>Abraham</td>
<td>Armentor</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Arnette</td>
</tr>
<tr>
<td>Total—76.</td>
<td></td>
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</tbody>
</table>
20th Days Proceedings—July 26, 1973

Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conine
Conroy
Corne
Cowie
D'Gerolamo
De Blieux
Denner
Dennis
Derbes
Deshotels
Drew
Durlap
Duval
Edwards
Elkins
Fayard
Flory

Total—103.

NAYS

Total—0.

ABSEN

Delegates—

Aertker
Alexander
Cannon
Gauthier
Giarrusso
Guidry
Haynes
Heine
Jackson, A.
Jackson, J.

Total—29.

And the Chair declared that the above Section was passed.

Delegate Juneau moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 14. Suits Against the State

Section 14. The legislature may authorize suit to be filed against the state, its agencies, and political subdivisions, and shall provide a method of procedure and the effect of the judgments which may be rendered therein. Any law enacted for the purpose shall waive immunity from suit and from liability.

Read.

Delegate Landrum sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Landrum to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 6 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. The immunity of the state from suit and liability is hereby abolished."

On motion of Delegate Landrum the amendment was withdrawn from the files of the Convention.

Delegate Landrius sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Lanier, D'Gerolamo, Duval, Alario, Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, line 6, after "Section 14," and before the words "the legislature" add the letter "(A)"

AMENDMENT No. 2—

On page 7, between lines 11 and 12, add the following:

"(B) However, public property shall not be subject to seizure, and no judgment against the state, its agencies or political subdivisions, shall be exigible, payable, or paid except out of funds appropriated for payment thereof."

Delegate Landrum moved the adoption of the amendments.

On motion of Delegate Landrum the amendments were withdrawn from the files of the Convention.

Delegate Roy sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Roy, Planchar, Tobias, Gauthier, Conine, Warren, Guirisco, J. Jackson and Landrum to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 6 through 11, both inclusive in their entirety and insert in lieu thereof the following:

"Section 14. The legislature may authorize methods and procedures for payment of final judgments rendered against the state, its agencies, and political subdivisions; however, public property shall not be subject to seizure and no judgment against the state or any other public body shall be exigible, payable or paid except out of funds appropriated for payment thereof."

Delegate Planchar moved the adoption of the amendment.

Delegate Casey objected.

Motion

Delegate Chatelain moved to postpone Convention action on Committee Proposal No. 3, Section 14, at this time.

Delegate Blair objected.

By a vote of 17 yeas and 92 nays the Convention refused to postpone action on Committee Proposal No. 3 Section 14, at this time.

Motion

Delegate Thompson moved the previous question on the amendment.

Delegate Landrum objected.

By a vote of 30 yeas and 73 nays the Convention refused to order the previous question on the amendment, at this time.

Delegate Planchar moved the adoption of the amendment.

Delegate LeBreton objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:
20th Days Proceedings—July 26, 1973

Delegates—

<table>
<thead>
<tr>
<th>Names</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Gravel</td>
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<tr>
<td>Arnette</td>
<td>Guarisco</td>
<td>Slay</td>
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<tr>
<td>Avant</td>
<td>Hayes</td>
<td>Soniat</td>
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<tr>
<td>Bergeron</td>
<td>Haynes</td>
<td>Tapper</td>
</tr>
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<td>Brown</td>
<td>Hernandez</td>
<td>Tate</td>
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<tr>
<td>Burson</td>
<td>Jackson, J.</td>
<td>Tobias</td>
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<tr>
<td>Champagne</td>
<td>Jenkins</td>
<td>Toca</td>
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<td>Chehardy</td>
<td>Kelly</td>
<td>Toomey</td>
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<td>Conino</td>
<td>Landrum</td>
<td>Triche</td>
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<td>Miller</td>
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<tr>
<td>DeBlieux</td>
<td>Mire</td>
<td>Vesich</td>
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<td>O’Neill</td>
<td>Warren</td>
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<tr>
<td>Dunlap</td>
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<td>Willis</td>
</tr>
<tr>
<td>Flory</td>
<td>Roemer</td>
<td>Wisham</td>
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<tr>
<td>Fonlonoit</td>
<td>Roy</td>
<td></td>
</tr>
<tr>
<td>Gauthier</td>
<td>Schmitt</td>
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<td>Total—49.</td>
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Delegates—

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<td>Perez</td>
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<td>Perkins</td>
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<td>Reeves</td>
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<td>Riecke</td>
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<td>Hardee</td>
<td>Robinson</td>
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<td>Blair</td>
<td>Heine</td>
<td>Sandoz</td>
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<tr>
<td>Brien</td>
<td>Juneau</td>
<td>Silverberg</td>
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<td>Burns</td>
<td>Keen</td>
<td>Smith</td>
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<td>Carmouche</td>
<td>Kilbourne</td>
<td>Slagg</td>
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<tr>
<td>Casey</td>
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<td>Stovall</td>
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<td>LeBleu</td>
<td>Sutherland</td>
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<td>D’Gerolamo</td>
<td>LeBreton</td>
<td>Thistlethwaite</td>
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<tr>
<td>Dennery</td>
<td>Leigh</td>
<td>Thompson</td>
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<td>Ullo</td>
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Delegates—

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<tr>
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<tr>
<td>Mr. Chairman</td>
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<td>Winchester</td>
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<tr>
<td>Total—18.</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate LeBreton moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tapper sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tapper to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 7 delete lines 8 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14 (A) Neither the state nor any of its agencies or political subdivisions shall be immune from suit."

(B) However, public property shall not be subject to seizure, and no judgment against the state, its agencies or political subdivisions, shall be exigible, payable, or paid except out of funds appropriated for payment by the state, its agencies or political subdivisions against whom judgment is rendered."

Delegate Tapper moved the adoption of the amendment.

Delegate LeBreton objected.

Vice-Chairman Casey in the Chair

Motion

Delegate Stovall moved the previous question on the amendment.

Delegate Landrum objected.

By a vote of 32 yeas and 59 nays the Convention refused to order the previous question on the amendment.

Motion

Delegate Shannon moved the previous question on the entire subject matter of Section 14.

Delegate Stovall objected.

By a vote of 33 yeas and 63 nays the Convention refused to order the question on the entire subject matter.

Delegate Tapper moved the adoption of the amendment.

Delegate LeBreton objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

Delegates—

<table>
<thead>
<tr>
<th>Names</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnette</td>
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Delegates—

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<td>Sandoz</td>
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<td>Shannon</td>
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<td>Asseff</td>
<td>Jack</td>
<td>Silverberg</td>
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<td>Juneau</td>
<td>Slay</td>
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Edwards
Gauthier
Girrussio
Guider
Hardee
Jackson, A.
Kee
Total—30.

And the amendment was rejected.

Delegate LeBreton moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Chairman Henry in the Chair

Delegate De Blieux sent up floor amendments, which
were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate De Blieux to Committee
Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, delete lines 6 through 11, both inclusive, in
their entirety and in lieu thereof the following:

“Section 14. The immunity of the state and any of its
political subdivisions from suit and liability is hereby abol-
ished. The legislature shall provide a method of procedure
and the effect of the judgments which may be rendered
against the state or any of its political subdivisions. How-
ever, public property shall not be subject to seizure, and no
judgment against the state, its agencies or political subdivi-
sions, shall be exigible, payable, or paid except out of funds
appropriated for payment thereof.”

Delegate De Blieux moved the adoption of the amendment.
Delegate LeBreton objected.

By a vote of 43 yea and 57 nays the amendment was
rejected.

Delegate LeBreton moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Motion

Delegate Smith moved the previous question on the entire
subject matter of Section 14.

Delegate De Blieux objected.

By a vote of 34 yea and 61 nays the Convention refused
to order the previous question on the entire subject matter.

Delegate Denney sent up floor amendments, which were
read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Denney, D’Gerolamo,
Jack, Weiss, Lanier and De Blieux to Committee Proposal
No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, delete lines 6 through 11, both inclusive, in
their entirety and insert in lieu thereof the following:

“Section 14. (A) The legislature shall adopt statutes pro-
viding methods of filing suits against the state, its agencies,
and political subdivisions. Such statutes may waive im-


property shall not be subject to seizure, and no judgment
against the state, its agencies or political subdivisions, shall
be exigible, payable, or paid except out of funds appropri-
ated for payment by the state, its agencies or political subdivi-
sions against whom judgment is rendered.”

Delegate Denney moved the adoption of the amendment.
Delegate Roy objected.

By a vote of 29 yea and 71 nays the amendment was
rejected.

Delegate Burson moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Avant sent up floor amendments, which were
read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Avant to Committee
Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7 line 7, immediately after the word “subdivi-
sion” and the comma “,” and before the word “and” insert
the following:

“may waive any prescriptive or any peremptive period”

Delegate Avant moved the adoption of the amendment.
Delegate Roy objected.

By a vote of 75 yea and 22 nays the amendment was
adopted.

Delegate Avant moved to reconsider the vote by which
the amendment was adopted, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Burson sent up floor amendments, which were
read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Burson to Committee
Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed as follows:

AMENDMENT No. 1—
On page 7, line 11, immediately after “liability,” add the
following sentence:

“Neither the state nor any of its agencies or political
subdivisions shall be immune from suit or liability in tort.”

Delegate Burson moved the adoption of the amendment.
Delegate Conroy objected.

A record vote was asked for and ordered by the Conven-
tion.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—Alario
Arnott
Avant
Bergeron
Bollinger
Brien
Brown
Burson
Champagne
Conino
D’Gerolamo
De Blieux
Dennis
Derbes
Dunlap
Duval
Flory
Total—51.

Fontenot
Ginn
Gravel
Guarisco
Hayes
Haynes
Jackson, J.
Jenkins
Kelly
Landrum
Landry, A.
Muller
Mire
O’Neill
Planchard
Riecke
Roomer
Roy
Schmit
Silverberg
Singletary
Soniat
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Ullio
Velazquez
Vick
Warren
Wills
Wisham

205
### Delegates—

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And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

### Motion

Delegate Womack moved that the Convention now take up other orders of business at this time.

Delegate Blair objected.

By a vote of 67 yeas and 32 nays the Convention reverted to other orders of business at this time.

### Motion

On motion of Delegate Guarisco the rules were suspended in order to call a meeting of the Committee on Bill of Rights and Elections without giving the required twenty-four hour notice.

### COMMITTEE NOTICE

Delegate A. Jackson, chairman of the Committee on Bill of Rights & Elections, sent up the following notice:

- The Committee on Bill of Rights & Elections will meet on Friday, July 27, 1973, at 9:00 o’clock a.m. in Committee Room No. 9 and will consider the following agenda:

#### AGENDA

To continue consideration of an article on elections.

Respectfully submitted,

**ALPHONSE JACKSON, JR.**
Chairman of the Committee on Bill of Rights and Elections.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

### Motion

On motion of Delegate Stovall the rules were suspended in order to call a meeting of the Committee on Rules, Credentials and Ethics without giving the required twenty-four hour notice.

### COMMITTEE NOTICE

Delegate Stovall, chairman of the Committee on Rules, Credentials and Ethics, sent up the following notice:

The Committee on Rules, Credentials and Ethics will meet on Friday, July 27, 1973, after adjournment in Committee Room No. 1 and will consider the following agenda:

#### AGENDA

1. Alternative proposal question
2. Delegate Resolution No. 33

Respectfully submitted,

**JAMES L. STOVALL**
Chairman of the Committee on Rules, Credentials and Ethics.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

### Leave of Absence

Delegate Taylor—3 days.
Delegate Winchester—1 day.

### Adjournment

Delegate Casey moved that the Convention do now adjourn until Friday, July 27, 1973 at 1:00 o’clock p.m.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, July 27, 1973 at 1:00 o’clock p.m.

**MOISE W. DENNERY,**
Secretary.

**DAVID R. POYNTER,**
Chief Clerk.
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

TWENTY-FIRST DAY'S PROCEEDINGS
of the Constitution Convention of 1973
held in accordance with Act 2 of the
1972 Regular Session of the Legislature

The Convention was called to order at 1:00 o'clock p.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL
The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aeriker
Alario
Alexander
Anzalone
Armentor
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Byron
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conrey
Corre
Corne
Cowen
D’Gerolamo
DeBlieux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Eayrand
Flory
Fontenot

Fowler
Pulco
Gauthier
Giarrusso
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Helbe
Hernandez
Jack
Jackson, J.
Jenkins
Juneau
Kein
Kelly
Kilbourne
Lambert
Landrum
Landry, A.
Landry, E. J.
Larrier
LeBlue
Leigh
Lennox
McDaniel
Martin
Miller
Mire
Munson
Newton
Nunez
O’Neill
Oursou
Perez
Perkiss
Planchard
Rachal
Rayburn
Reeves
Riecke
Robinson
Romer
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Toomy
Triche
Ulla
Velasquez
Verich
Vick
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Delegates—
Brown
Cannon
Gueldry
Jackson, A.

Kilpatrick
LeBreton
Lowe
Mauberret
Taylor
Wall

Total—122.

The Chairman announced that there were 122 members pre-
sent and a quorum.

Prayer
Prayer was offered by Delegate Burns.

Pledge of Allegiance
Delegate Schmitt led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of
America.

Reading of the Journal
On motion of Delegate Grier, the reading of the Journal was
dispensed with.

On motion of Delegate Grier, the Journal of yesterday
was adopted.

Morning Hour
Motion
Delegate Rayburn moved for a suspension of the rules in
order to limit debate to a period of five minutes to each
delegate until the Convention passes on a proposed rule
change limiting debate.

Delegate Bollinger objected.

By a vote of 100 yeas and 11 nays the rules were suspended.

Delegate Rayburn moved that debate be limited to five
minutes for each delegate.

As a substitute Delegate Fontenot moved that the author or
sponsor of a resolution, proposal, or amendment be allowed
an extra five minutes to answer questions.

Delegate Rayburn objected.

The vote recurred on the substitute motion.

By a vote of 38 yeas and 71 nays the Convention refused to
allow an additional five minutes to the author or sponsor
of a proposal, resolution or amendment for the purpose of
answering questions.

The vote then recurred on the original motion of Delegate
Rayburn.

By a vote of 95 yeas and 19 nays debate was limited to five
minutes for each delegate.

Resolutions
Delegate and Committee
The following entitled Delegate and Committee Resolutions
were taken up on their third reading and final passage:

DELEGATE RESOLUTION No. 34—
Introduced by Delegate Asseff:

A RESOLUTION
To amend Rule No. 78 relative to the previous question.

Under the rules the above Resolution was referred to the
Committee on Rules, Credentials and Ethics.

Delegate and Committee
Resolutions on Second Reading
Reported by Committees
The following entitled Delegate and Committee Resolutions
reported by Committees were taken up and acted upon as
follows:

COMMITTEE PROPOSAL No. 18—
Introduced by Delegate Aertker, Chairman, on behalf of
the Committee on Education and Welfare and Delegates
Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes,
Hernandez, Landry, LeBlanc, LeBlanc, Rachal, Riecke,
Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca
and Wisham. A substitute proposal for Committee Proposal
No. 18 by Delegate Aertker, et al.:

A PROPOSAL

Making provisions for human resources by prohibiting com-

pulsory arbitration.

Read.
Reported as substitute by the Committee on Education and Welfare for Committee Proposal No. 13.

Read a second time and ordered engrossed and passed to its third reading.

COMMITTEE RESOLUTION No. 10—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics and Delegates:

A RESOLUTION
To amend and readopt Rule No. 30 of the Standing Rules of the Constitutional Convention to provide for the limitation of debate.

Read.

Reported with the following amendments by the Committee on Rules, Credentials and Ethics.

COMMITTEE AMENDMENTS
Amendments proposed by Committee on Rules, Credentials and Ethics to Committee Resolution No. 10 by Delegate Stovall, et al.

Amend printed Resolution as follows:

AMENDMENT No. 1—
On page 1, at the end of line 13, delete the word “five” and insert in lieu thereof the word “ten”

AMENDMENT No. 2—
On page 1, line 16, after the word “speak” and before the word “for” insert the words “in reply”

AMENDMENT No. 3—
On page 1, line 16, place a comma “,” after the word “minutes” and add the following: “but not until every delegate choosing to speak has spoken, except when the previous question or the previous question on the entire subject matter has been ordered.”

AMENDMENT No. 4—
On page 1, line 17, delete the words “when the matter is initially debated.”

AMENDMENT No. 5—
On page 1, at the beginning of line 21, change the word “five” to “ten”

On motion of Delegate Stovall the amendments were adopted.

Ordered engrossed and passed to its third reading.

DELEGATE RESOLUTION No. 30—
Introduced by Delegate Burson:

A RESOLUTION
To amend Rule No. 46 of the Standing Rules of the Constitutional Convention to require that amendments to proposals be germane.

Read.

Reported favorably by the Committee on Rules, Credentials and Ethics.

Ordered engrossed and passed to its third reading.

DELEGATE RESOLUTION No. 31—
Introduced by Delegate Burson:

A RESOLUTION
To amend and readopt Rule No. 30 of the Standing Rules of the Constitutional Convention, relative to limits on debate.

Read.

Reported without action by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Stovall the Resolution was withdrawn from the files of the Convention.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage.

COMMITTEE PROPOSAL No. 3—
Introduced by Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginne, Juneau, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL
Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

Read.

Section 14. Suits Against the State
Section 14. The legislature may authorize suit to be filed
against the state, its agencies, and political subdivisions, and shall provide a method of procedure and the effect of the judgments which may be rendered therein. Any law enacted for the purpose shall waive immunity from suit and from liability.

Read.

Delegate Lanier sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Lanier, D'Gerolamo, Duval, Alario, Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 6, after “Section 14.” and before the words “The legislature” add the letter “(A)”

**AMENDMENT No. 2—**

On page 7, between lines 11 and 12, add the following:

“(B) Except as otherwise provided in this Constitution, public property shall not be subject to seizure, and no judgment against the state, its agencies or political subdivisions, shall be exigible, payable, or paid except out of funds appropriated for payment thereof.”

Delegate Lanier moved the adoption of the amendments.

Delegate Landrum objected.

By a vote of 55 yeas and 40 nays the amendments were adopted.

Delegate Lanier moved to reconsider the vote by which the amendments were adopted and to lay the motion to reconsider on the table.

Delegate Tapper objected to tabling the motion to reconsider.

By a vote of 52 yeas and 61 nays the Convention refused to table the motion to reconsider.

Delegate Tapper insisted on the motion to reconsider the vote by which the amendments were adopted.

Delegate Lanier objected.

By a vote of 66 yeas and 46 nays the vote by which the amendments were adopted was reconsidered.

And the Chair announced that the Amendments proposed by Delegate Lanier and previously adopted by the Convention, were now before the Convention, to wit:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Lanier, D'Gerolamo, Duval, Alario, Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 6, after “Section 14.” and before the words “The legislature” add the letter “(A)”

**AMENDMENT No. 2—**

On page 7, between lines 11 and 12, add the following:

“(B) Except as otherwise provided in this Constitution, public property shall not be subject to seizure, and no judgment against the state, its agencies or political subdivisions, shall be exigible, payable, or paid except out of funds appropriated for payment thereof.”

Delegate Lanier moved the adoption of the amendments.

As a substitute Delegate Tapper moved to table the amendments.

Delegate Lanier objected.

The vote recurred on the substitute motion.

By a vote of 46 yeas and 62 nays the Convention refused to table the amendments.

Delegate Lanier moved the adoption of the amendments.

Delegate Tapper objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<th>Delegates</th>
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<td>Duval</td>
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<td>Aetiker</td>
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<td>Reeves</td>
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<td>Nunez</td>
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**NAYS**

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**ABSENT**

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And the amendments were adopted.

Delegate Casey sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Casey to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 9, after the words “Any law” and before the word “enacted” insert the words “or resolution”
Delegate Casey moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Roy, Sandoz, Mire, Thistlethwaite, Warren, Willis, Conino and Cowan to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 6 through 11 both inclusive in their entirety and insert in lieu thereof the following:

"Section 14. The doctrine of sovereign immunity is abolished; however, public property shall not be subject to seizure, except when it may have been pledged or mortgaged to secure payment of a public debt, and no judgment against the state or any public body shall be exigible, payable or paid unless funds are specifically appropriated therefor."

**AMENDMENT No. 2—**


Delegate Roy moved the adoption of the amendments.

Delegate Blair objected.

By a vote of 34 yeas and 70 nays the Convention refused to order the previous question.

Delegate Asseff moved the previous question on the amendments.

Delegate Jack objected.

By a vote of 40 yeas and 65 nays the Convention refused to order the previous question on the entire subject matter of Section 14.

Delegate Roy objected.

By a vote of 40 yeas and 65 nays the Convention refused to order the previous question on the entire subject matter.

Delegate Roy moved the adoption of the amendments.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<th>YEAS</th>
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<td>Roemer</td>
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<td>Roy</td>
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<td>Sandoz</td>
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<tr>
<td>Silverberg</td>
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<tr>
<td>Total—54.</td>
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</tbody>
</table>

| NAYS          |                           |                           |
| Delegates     |                           |                           |
| Abraham      | Elkins                    |                            |
| Aeriker      | Payard                    |                            |
| Alario       | Powler                    |                            |
| Anzalone     | Pulco                     |                            |
| Armentor     | Garrusso                  |                            |
| Assed        | Grier                     |                            |
| Badeaux      | Hardee                    |                            |
| Blair        | Heine                     |                            |
| Burns        | Jack                      |                            |
| Casey        | Jeloue                    |                            |
| Chastain     | Kilbourne                 |                            |
| Conroy       | Kean                      |                            |
| Corne        | Landry, A.                |                            |
| Cowen        | Landry, E. J.             |                            |
| Dennery      | LeBleu                    |                            |
| Derbes       | Leigh                     |                            |
| Deshotels    | McDaniel                  |                            |
| Drew         | Martin                    |                            |
| Duval        | Munson                    |                            |
| Edwards      | Total—59.                 |                            |

| ABSENT        |                           |                           |
| Delegates     |                           |                           |
| Mr. Chairman  | Jackson, A.               |                            |
| Bollinger    | Kilpatrick                |                            |
| Brown        | Lambert                   |                            |
| Cannon       | LeBreton                  |                            |
| Dennis       | Leithman                  |                            |
| Gouldry      | Lowe                      |                            |
| Hernandez    | Mauberret                 |                            |
| Total—19.    |                           |                            |

And the amendments were rejected.

Delegate Casey moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Burson to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 6 through 11 both inclusive in their entirety and insert in lieu thereof the following:

"The legislature shall provide by general law for the prosecution of tort claims against the state or its political subdivision. Any judgment rendered against the State of Louisiana or one of its political subdivisions shall be exigible, payable, and paid only out of funds appropriated by the legislature or the political subdivision concerned."

**AMENDMENT No. 2—**


Delegate Burson moved the adoption of the amendments.

Delegate Womack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

Delegate Landrum moved the adoption of the amendments.
Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Hayes
Schnitt
Silverberg
Soniat
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Triche
Velazquez
Vick
Warr
Warren
Willis
Wisham
Zervigon

NAYS

Delegates—

Alario
Anzalone
Asseff
Badeaux
Bald
Burns
Casey
Chatelain
Conroy
Conron
Cowan
Cull
Dennis
Derbes
Deshotes
Drew
Dunlap
Duval

Total—52.

Delegates—

Abraham
Alexandra
Alario
Anzalone
Armentor
Asseff
Badeaux
Bald
Burns
Casey
Chatelain
Conroy
Corne
Cowan
Cull
Dennis
Derbes
Deshotes
Drew
Dunlap
Duval

Total—64.

Delegates—

Mr. Chairman
Brown
Browe
D’Geronimo
Guimier
Hernandez

Total—16.

And the amendments were rejected.

Delegate Blair moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Landrum sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Landrum to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 6 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. The immunity of the state from suit and liability is hereby abolished."

AMENDMENT No. 2—


Delegate Landrum moved the adoption of the amendments.
Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Hayes
Schnitt
Silverberg
Soniat
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Triche
Velazquez
Vick
Warr
Warren
Willis
Wisham
Zervigon

NAYS

Delegates—

Alario
Anzalone
Armentor
Asseff
Badeaux
Bald
Burns
Casey
Chatelain
Conroy
Corne
Cowan
Cull
Dennis
Derbes
Deshotes
Drew
Dunlap
Duval

Total—28.

Delegates—

Abraham
Aertker
Alario
Anzalone
Asseff
Badeaux
Bald
Burns
Casey
Chatelain
Conroy
Corne
Cowan
Cull
Dennis
Derbes
Deshotes
Drew
Dunlap
Duval

Total—72.

Delegates—

Mr. Chairman
Brown
Browe
D’Geronimo
Guimier
Hernandez

Total—22.

And the amendments were rejected.

Delegate Stagg moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kelly sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Kelly to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reengrossed Proposal as follows:
AMENDMENT No. 1—
On page 7, delete lines 6 through 11, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 14. (A) Neither the state nor any of its agencies or political subdivisions shall be immune from suit and liability in contract or for injury to person or property. (B) In other cases the legislature may authorize suit to be filed against the state, its agencies and political subdivisions and any concurrent resolution enacted for the purpose shall waive immunity from suit and liability. (C) The legislature shall provide for a method of procedure and the effects of the judgments which may be rendered in all cases against the state, its agencies and political subdivisions. (D) Public property and funds shall not be subject to seizure, and no judgment against the state, its agencies or political subdivision shall be exible, payable, or paid except out of funds appropriated for payment by the state, its agencies or political subdivision against whom such judgment is rendered."

AMENDMENT No. 2—

Delegate Kelly moved the adoption of the amendments.
Delegate Blair objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Gravel  Sandoz
Guarisco  Schmitt
Hardee  Silverberg
Hayes  Singletary
Jackson  Soniat
Kensinger  Stovall
Kelly  Tapper
Keen  Tate
Landrum  Thistlewhite
Lennox  Thompson
Miller  Tobias
Mire  Triche
Newton  Velazquez
O'Neill  Vesch
Planeard  Vick
Racall  Warren
Reeves  Willis
Roemer  Winchester
Ginn  Wisham

Total—59.

NAYS

Abraham  Perkins
Anzalone  Rayburn
Assche  Riecke
Badeaux  Robinson
Bel  Shannon
Blair  Smith
Burns  Slag
Carmouche  Stagg
Casey  Stephenson
Conroy  Sutherland
Denney  Toomy
Deshotels  Uko
Drew  Velazquez
Elkins  Vesch
Fayard  Weiss
Ginn  Wilcox

Total—59.

ABSENT

Mr. Chairman  Fowler
Alario  Guidry
Armentor  Hernandez
Brown  Jackson
Cannon  Kilpatrick
Chesnutt  Lambert
Derbes  LeBreton
DeGeronimo  Leithman

Total—23.

And the amendments were adopted.
Delegate Kelly moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Kelly moved the previous question on the entire subject matter.
Delegate Jack objected.

By a vote of 80 yeas and 28 nays the previous question was ordered on the entire subject matter.

Committee Proposal No. 3, Section 14, was read as amended.
Delegate Blair moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Gravel  Roemer
Guarisco  Roy
Hardee  Sanzo
Hayes  Schmitt
Haynes  Segura
Heine  Silverberg
Jackson  Singletary
Jenkins  Slay
Juneau  Soniat
Keen  Stovall
Kelly  Tapper
Landrum  Tate
Landry  Thistlewhite
Lennox  Thompson
Martin  Tobias
Miller  Triche
Mire  Vesch
Newton  Vick
O'Neill  Warren
Perkins  Willis
Planer  Winchester
Racall  Wisham
Rayburn  Zervigon
Reeves  Zervigon
Riecke  Zervigon

Total—76.

NAYS

Abraham  Robinson
Anzalone  Shannon
Assche  Smith
Badeaux  Stagg
Carmouche  Stimens
Casey  Sutherland
Conroy  Toomy
Deshotels  Uko
Drew  Velazquez
Elkins  Vesch
Fayard  Weiss
Ginn  Wilcox

Total—35.

ABSENT

Alario  Chesnutt
Armertor  D'Geronomo
Brown  Jackson
Cannon  Kilpatrick

Total—59.
And the Chair declared that the above Section was passed.

Delegate Jenkins moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 15. Continuity of Government
Section 15. The legislature shall provide for the orderly and temporary continuity of state government, in periods of emergency, until such time as the normal processes of government can be reestablished in accordance with the constitution and laws of the state. It shall also provide for the prompt and temporary succession to the powers and duties of public offices, the incumbents of which may become unavailable to execute the functions of their offices.

Read.

Delegate Jenkins sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, strike out lines 13 through 20 in their entirety and insert in lieu thereof the following:

"Section 15. The legislature, in order to assure continuity of state government in periods of emergency caused by enemy attack, shall have the power to provide for temporary succession to the powers and duties of public offices, whether filled by election or appointment, when the incumbents become unable to carry on the powers and duties of such offices."

Delegate Jenkins moved the adoption of the amendment.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Aertker
Bollinger
Burson
Dennis
Flory
Garrusso
Ginn
Guarisco
Hayes
Heine
Jackson, J.
Jenkins
Total—34.

**NAYS**

Delegates—

Abraham
Alexander
Anzalone
Asseff
Avant
Badeaux
Bel
Bergeron
Blair

**PAGE 7**


LeBleu
LeBreton
Leithman

Total—21.

LeBleu
LeBreton
Leithman

Total—21.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Total—67.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg and Abraham to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 17, immediately after the period ",", and before the word "shall" delete the word "it" and insert in lieu thereof the following:

"Except as otherwise provided in this constitution, it"

Delegate Stagg moved the adoption of the amendment.

Delegate Roy objected.

By a vote of 88 yeas and 16 nays the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 15, was read, as amended.

Delegate Casey moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman
Abraham
Alexander
Avant
Badeaux
Bel
Bergeron
Blair

**PAGE 7**


LeBleu
LeBreton
Leithman

Total—21.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg and Abraham to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

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Committee Proposal No. 3, Section 15, was read, as amended.

Delegate Casey moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman
Abraham
Alexander
Avant
Badeaux
Bel
Bergeron
Blair

**PAGE 7**


LeBleu
LeBreton
Leithman

Total—21.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg and Abraham to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 17, immediately after the period ",", and before the word "shall" delete the word "it" and insert in lieu thereof the following:

"Except as otherwise provided in this constitution, it"

Delegate Stagg moved the adoption of the amendment.

Delegate Roy objected.

By a vote of 88 yeas and 16 nays the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 15, was read, as amended.

Delegate Casey moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman
Abraham
Alexander
Avant
Badeaux
Bel
Bergeron
Blair

**PAGE 7**


LeBleu
LeBreton
Leithman

Total—21.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg and Abraham to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 17, immediately after the period ",", and before the word "shall" delete the word "it" and insert in lieu thereof the following:

"Except as otherwise provided in this constitution, it"

Delegate Stagg moved the adoption of the amendment.

Delegate Roy objected.

By a vote of 88 yeas and 16 nays the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 15, was read, as amended.

Delegate Casey moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman
Abraham
Alexander
Avant
Badeaux
Bel
Bergeron
Blair

**PAGE 7**


LeBleu
LeBreton
Leithman

Total—21.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

Lowe
Mauberret
Taylor

Total—34.

Mauberret
Taylor

Total—21.

Lowe
Mauberret
Taylor

Total—67.

Landry, A. Rayburn, Reeves, Tate, Thistlethwaite
Landry, E. J. Riecke, Robinson, Thompson, Toca
Landier, Leigh Singletery, Toomey, Ulo
Leithman, Leo Schmitt, Segura, Vesch
Lennox, Mcdaniel Shannon, Warren, Weis
Martin, Miller Sandoz, Singletery, Williams
Miller, Mire Silverberg, Slay, Winchester
Newton, Nunez Smith, Stagg, Wisham
Nunez, Perkins Stagg, Stephenson, Womack
Perkins, Planchard Stinson
Rachal, Total—86.

NAYS

Delegates—
Aertker, O'Neill, Stovall, Velazquez
Dennis, Perez, Roy, Vick
Jackson, J., Soniat, Zervigon
Jenkins, Total—12.

ABSENT

Delegates—
Alario, Fontenot, LBreton
Anzalone, Gauthier, Lowe
Armmentor, Gravel, Maubertet
Arnette, Grier, Manson
Assett, Guidry, Ousso
Brown, Haynes, Roemer
Cannon, Hernandez, Sutherland
Champaign, Jackson, A., Tapper
Chehardy, Juneau, Taylor
Conroy, Kilpatrick, Triche
Derbes, LeBlanc, Wall
Deshotels, Total—34.

And the Chair declared that the above Section was passed.

Delegate Casey moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 16. Style of Laws; Enacting Clause
Section 16. The style of the laws of this state shall be: “Be it enacted by the Legislature of Louisiana.” It shall not be necessary to repeat the enacting clause after the first section of an act.

Read. Delegate Casey sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, line 22, immediately after the word “laws” and before the words “of this state” insert the following: “enacted by the legislature”

On motion of Delegate Casey the amendment was adopted.

Delegate Casey moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 16, was read, as amended.

Delegate Casey moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

Delegates—
Mr. Chairman, Grier
Abraham, Guarisco
Aertker, Hardree
Alexander, Hayes
Asseff, Heine
Avant, Jackson, J.
Badeaux, Jenkins
Bel, Jr., Kean
Bergeron, Kilburgne
Blair, Lambert
Bollinger, Landrum
Brien, Landry, A.
Burns, Landry, E. J.
Carmouche, Lanier
Cassy, Leigh
Cenner, Leithman
Conino, Lennox
Corne, Martin
Cowen, Toomey
De Blieux, Treibe
Dennery, Ulo
Dennis, Velazquez
Drew, Vick
Dunlap, Vendell
Duval, Wesss
Edwards, Warren
Eikins, Weis
Fayard, Willis
Flory, Winchete
Fowler, Wisham
Fulco, Womack
Gauthier, Zervigon
Girrussno, Rayburn
Ginn, LeBreton

Total—97.

NAYS

Total—0.

Delegates—
Alario, Berdes, Lowe
Anzalone, Desholes, McDaniel
Armmentor, Fontenot, Maubertet
Arnette, Gravel, Manson
Brown, Guidry, Ousso
Burton, Haynes, Roemer
Cannon, Hernandez, Slay
Champaign, Jackson, A., Smith
Chatelain, Tapper
Chehardy, Taylor
Conroy, LeBlanc
D'Gerolamo, LeBreton

Total—35.

And the Chair declared that the above Section was passed.

Delegate Casey moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 17. Passage of Bills
Section 17 (A) The legislature shall enact no law except by a bill, and shall propose no amendment to the constitution, except by a joint resolution, which shall be processed as a bill. Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be confined to one object and shall contain a brief title indicative of its object.

(B) All bills enacting, amending, or reviving laws shall set forth completely the provisions of the laws enacted, amended, or revived, and no system or code of laws shall be adopted by general reference to such system or code of laws.

(C) No bill shall be amended in its passage through either house so as to make a change not germane to the bill as originally introduced.

(D) Every bill shall be read at least by title on three separate days in each house. No bill shall be considered for final passage unless it has been reported on by a committee.

(E) No bill which has been rejected by either house may again be proposed or considered in the same house during the same session without the consent of a majority of the members elected to the house which rejected it.

(F) No amendments to bills by one house shall be concurred in by the other, nor shall any conference committee report be concurred in by either house except by the same
vote required for final passage of the bill. The vote thereon shall be by record vote.

GI: No bill shall become law without the concurrence of at least a majority of the members elected to each house. Final passage of a bill shall be by record vote. At the request of one-fifth of the members elected to either house, a record vote shall be taken on any other measure or for any other purpose.

Read.

Delegate Perez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 28, immediately after the word “bill” and before the comma “,” insert the words “introduced during a session of the legislature”

**AMENDMENT No. 2—**

On page 7, line 29, immediately after the word “resolution” and before the comma “,” insert the words “introduced during a session of the legislature”

On motion of Delegate Perez the amendments were adopted.

Delegate Perez moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Casey to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 32, immediately after the word “and” and before the word “shall” insert the words “every bill”

On motion of Delegate Casey the amendment was adopted.

Delegate Casey moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

As on page 8, at the end of line 1 insert the following:

“No action on any matter intended to have the effect of law shall be taken except in open, public meeting.”

Delegate Jenkins moved the adoption of the amendment.

Delegate Cowen objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>DELEGATES</th>
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<tbody>
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<td>Cowen</td>
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<td>Elkins</td>
<td>Fulco</td>
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<td>Gauthier</td>
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<td>Giarrusso</td>
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<td>Jackson, J.</td>
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<td>Lambert</td>
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<td>O’Neill</td>
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<td>Perez</td>
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<td>Rayburn</td>
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<td>Riecke</td>
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<td>Total—90.</td>
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<th>YEAS</th>
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</tr>
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<td>Elkins</td>
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</tr>
</tbody>
</table>

**NAYS**

| Grier     |
| McDaniel  |

**ABSENT**

| Alario    |
| Armentor  |
| Bel       |
| Brown     |
| Burns     |
| Cannon    |
| Chehardy  |
| D’Gerolamo|
| Dennis    |
| Derbes    |
| Edwards   |
| Gravel    |

| Guidry    |
| Haynes    |
| Hernandez |
| Jackson, A.|
| Kilpatrick|
| LeBlu     |
| LeBreton  |
| Lowe      |
| Martin    |
| Maubernet |
| Munson    |
| Nunez     |
| Total—36. |

And the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Flory sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

As on page 8, line 11 after the word “unless” and before the word “it” insert the following:

“and until a public hearing has been held on such bill and”

On motion of Delegate Flory the amendment was adopted.

Delegate Flory moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 3, Section 17, was read, as amended.**

Delegate Casey moved the passage of the Section.
ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman  Fontenot  Perkins
Abraham  Fowler  Plancharb
Aertker  Fulco  Rayburn
Alexander  Gauthier  Riecke
Anzalone  Giarrusso  Robinson
Arnette  Ginn  Roy
Asseff  Grier  Schmitt
Avant  Guarisco  Segura
Badeaux  Hardee  Shannon
Bergeron  Hayes  Singletary
Blair  Heine  Slay
Bollinger  Jack  Smith
Brown  Jackson J.  Soniat
Brien  Jenkins  Stagg
Carmouche  Juneau  Stephenson
Casey  Kean  Stinson
Champlin  Kelly  Sutherland
Chaletain  Kilbourne  Tate
Conino  Lambert  Thistlethwaite
Conroy  Landrum  Thompson
Corne  Landry, A.  Tobias
Creton  Landry, E. J.  Toca
De Blieux  Lanier  Tooma
Dennery  Leigh  Triche
Dennis  Leithman  Ullo
Dehotel  Lennox  Warren
Drew  McDaniel  Weiss
Dunlap  Miller  Willis
Duval  Mire  Winchester
Skinner  Newton  Womack
Sayard  O'Neill  Zervigon
Slory  Perez

Total—96.

NAYS

Delegates—

Alario  Haynes  Rachal
Armient  Hernandez  Reeves
Bel  Jackson, A.  Roemer
Brown  Kilpatrick  Sandoz
Burns  LeBlu  Stovall
Brenham  LeBreton  Tapper
D'Gerolamo  Lowe  Taylor
Derbes  Martin  Velazquez
Edwards  Maubernet  Vesich
Gravel  Munson  Vick
Gueldry  Nunez  Wall

Total—36.

And the Chair declared that the above Section was passed.

Delegate Casey moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 18. Appropriations

Section 18. (A) No money shall be withdrawn from the state treasury except through specific appropriation, and no appropriation of money shall be made for contingencies or for longer than two years.

(B) All bills for raising revenue or appropriating money shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

(C) The general appropriation bill shall be itemized and shall contain only appropriations for the ordinary operating expenses of government, public charities, pensions, and the public debt and interest thereon.

(D) All other bills for appropriating money shall be for a specific purpose and for a specific amount.

(E) Any bill appropriating money in an extraordinary session of the legislature convened after final adjournment of the regular session held in the last year of the term of office of a governor, except for expenses of the legislature, shall require the approval of three-fourths of the elected members of each house.

Read.

Delegate Rayburn sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Rayburn to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, line 30, after the word “than” delete the remainder of the line and insert in lieu thereof the words “one year.”

Delegate Rayburn moved the adoption of the amendment.

Delegate Casey objected.

The previous question was ordered.

On motion of Delegate Rayburn the amendment was adopted.

Delegate Rayburn moved to reconsider the motion by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 9, delete lines 8 through 13 in their entirety.

Delegate Casey moved the adoption of the amendment.

Delegate Juneau objected.

By a vote of 42 yeas and 32 nays the amendment was rejected.

Delegate Juneau moved to reconsider the vote by which the amendment was rejected, and, on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, line 29, after the word “made” and before the word “contingencies” delete the word “for” and insert in lieu thereof the following: “under the heading of”

On motion of Delegate De Blieux the amendment was adopted.

Delegate De Blieux moved to reconsider the motion by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Womack sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendment proposed by Delegate Womack to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 8, line 28, immediately after the word "and" and before the word "no" insert the following:
"except as otherwise provided in this constitution,"

AMENDMENT No. 2—
On page 8, line 29, immediately after the word "contingencies" place a comma "," and delete the word "or" and insert the following:
"nor shall any appropriation be made"

On motion of Delegate Womack the amendments were adopted.

Delegate Womack moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 18, was read, as amended.

Delegate Casey moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Blair
Bollinger
Brien
Burns
Burnson
Carmouche
Casey
Chapman
Chatelain
Conino
Conroy
Corne
Coven
De Blieux
Dennery
Denny
Drew
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco

Total—95.

NAYS

Delegates—
Alario
Armortor
Asseff
Bel
Bergeron
Brown
Cannon
Chehardy
Cowen
D'Gerolamo
Derbes
Deshotels
Edwards

Total—37.

And the Chair declared that the above Section was passed.

Delegate Casey moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 19. Signing of Bills; Delivery to Governor

Section 19. (A) A bill that has been passed by both houses of the legislature shall be signed by the presiding officers of both houses and shall be submitted to the governor for his signature or other action. Delivery to the governor shall be within three days after passage.

(B) No joint, concurrent, or other resolution shall require the signature or other action of the governor.

Read.

Delegate Casey moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Blair
Bollinger
Brien
Burns
Burnson
Carmouche
Casey
Chapman
Chatelain
Conino
Conroy
Corne
Coven
De Blieux
Dennery
Denny
Drew
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco

Total—96.

NAYS

Delegates—
Jenkins
Boomer

Total—4.

ABSENT

Delegates—
Alario
Armortor
Bel
Brown
Cannon
Chehardy
D'Gerolamo
Dennery
Derbes
Deshotels
Edwards

Total—32.

And the Chair declared that the above Section was passed.

Delegate Casey moved to reconsider the vote by which the above Section was passed and, on his own motion, the motion to reconsider was laid on the table.

Section 20. Signature of Governor on Bills; Veto

Section 20. (A) A bill, except a joint resolution, shall become law if the governor does not sign or veto the bill within ten days after its delivery to him if the legislature
is in session or within twenty days if the legislature is adjourned.

(b) If the governor does not approve of a bill, he may veto it and return it to the legislature, with his veto message, within twelve days after its delivery to him if the legislature is in session. If the legislature has adjourned before the governor vetoes or returns one or more bills, he shall return them, with his veto message, to the legislature as provided by law. Any bill thus returned by the governor and subsequently approved by two-thirds of the elected members of each house shall become law.

(C) The legislature shall meet in veto session at the seat of government at twelve o'clock noon on the thirty-fifth day following the sine die adjournment of the most recent session of the legislature for the purpose of considering all measures vetoed by the governor, except that if such day falls on a Sunday the session shall convene at noon on the next succeeding Monday. No veto session shall exceed five calendar days in length, and any veto session may be adjourned sine die prior to the end of the fifth day upon the vote of two-thirds of the elected members of each house.

No veto session shall be held if a simple majority of the elected members of either or both houses indicate in writing that a veto session is not necessary. Such written notice must be received by the presiding officer of the respective houses at least two days prior to the day on which the veto session is to convene.

Read.

Delegate Womack sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Kilpatrick and Womack to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 10, delete lines 5 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) The presiding officers of both houses shall convene the legislature in veto session upon the written request therefor, by at least a majority of the members elected to each house, on the thirty-fifth day after final adjournment of each session, for the sole purpose of reconsidering the bills vetoed by the governor. The veto session shall not exceed five consecutive days."

Delegate Womack moved the adoption of the amendment.

Delegate Juneau objected.

Motion

Delegate Kean moved the previous question on the amendment.

Delegate Fontenot objected.

By a vote of 46 yeas and 60 nays the Convention refused to order the previous question.

Delegate Womack moved the adoption of the amendment.

Delegate Juneau objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Avant</td>
<td>Haynes</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Jack</td>
</tr>
<tr>
<td>Flory</td>
<td>Leigh</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Roy</td>
</tr>
<tr>
<td>Fowler</td>
<td>Shannon</td>
</tr>
<tr>
<td>Total—13</td>
<td></td>
</tr>
</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Alexander</td>
<td>Ginn</td>
</tr>
<tr>
<td>Anazalone</td>
<td>Grier</td>
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<tr>
<td>Arnette</td>
<td>Hardee</td>
</tr>
<tr>
<td>Assef</td>
<td>Hayes</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Heine</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Blair</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Juneau</td>
</tr>
<tr>
<td>Burns</td>
<td>Kean</td>
</tr>
<tr>
<td>Burson</td>
<td>Kelly</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Killborne</td>
</tr>
<tr>
<td>Casey</td>
<td>Landrum</td>
</tr>
<tr>
<td>Champagne</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Chelanin</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Conine</td>
<td>Lanier</td>
</tr>
<tr>
<td>Conroy</td>
<td>LeBlieu</td>
</tr>
<tr>
<td>Corne</td>
<td>Leithman</td>
</tr>
<tr>
<td>Cowen</td>
<td>Lennox</td>
</tr>
<tr>
<td>De Blieux</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Dennis</td>
<td>Miller</td>
</tr>
<tr>
<td>Drew</td>
<td>Mire</td>
</tr>
<tr>
<td>Duval</td>
<td>Newton</td>
</tr>
<tr>
<td>Elkins</td>
<td>Nunez</td>
</tr>
<tr>
<td>Fayard</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Fulco</td>
<td>Perez</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Perkins</td>
</tr>
<tr>
<td>Total—82</td>
<td></td>
</tr>
</tbody>
</table>

ABSENT

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates</td>
<td></td>
</tr>
<tr>
<td>Mr. Chairman</td>
<td>Gravel</td>
</tr>
<tr>
<td>Aertker</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Alario</td>
<td>Guildry</td>
</tr>
<tr>
<td>Ammerton</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Bel</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Brown</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Cannon</td>
<td>Lambert</td>
</tr>
<tr>
<td>Chehardy</td>
<td>LeBreton</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Lowe</td>
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<tr>
<td>Denenery</td>
<td>Martin</td>
</tr>
<tr>
<td>Derbes</td>
<td>Maubreret</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Munson</td>
</tr>
<tr>
<td>Edwards</td>
<td>Ousso</td>
</tr>
<tr>
<td>Total—37</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Tapper moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 10, line 19, immediately after the word "least" and before the word "days", delete the word "two" and insert in lieu thereof the word "five"

Delegate De Blieux moved the adoption of the amendment.

Delegate Juneau objected.

By a vote of 86 yeas and 3 nays the amendment was adopted.

Delegate De Blieux moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tapper sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tapper to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9 line 29 after the word “and” and before the word “return” insert the word “shall”.

On motion of Delegate Tapper the amendment was adopted. Delegate Tapper moved to reconsider the motion, by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Be Blieux sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Be Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10 line 14 after the words “vote of” and before the words “of the” delete the word “two-thirds” and insert in lieu thereof the words “a majority”.

Delegate Be Blieux moved the adoption of the amendment. Delegate Bollinger objected.

By a vote of 35 yeas and 55 nays the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Be Blieux sent up floor amendments, which were read as follows:

Amendment proposed by Delegate Be Blieux to Committee Proposal No. 3 by Delegates Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 6, after the word “the” delete the word “thirty-fifth” and insert in lieu thereof the word “fortieth”.

On motion of Delegate BeBlieux the amendment was adopted.

Delegate Be Blieux moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 20, was read, as amended.

Delegate Juneau moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td>Delegates—</td>
</tr>
<tr>
<td>Mr. Chairman</td>
<td>Mr. Chairman</td>
</tr>
<tr>
<td>Abraham</td>
<td>Alario</td>
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<tr>
<td>Alexander</td>
<td>Armentor</td>
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<tr>
<td>Anzalone</td>
<td>Bel</td>
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<tr>
<td>Arnette</td>
<td>Bergeron</td>
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<td>Asseff</td>
<td>Brown</td>
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<td>Badeaux</td>
<td>Cannon</td>
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<tr>
<td>Blair</td>
<td>Chehardy</td>
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<td>Bollinger</td>
<td>D’Gerolamo</td>
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<tr>
<td>Brice</td>
<td>Denner</td>
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<tr>
<td>Burns</td>
<td>Deshotels</td>
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<tr>
<td>Burson</td>
<td>Edwards</td>
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<tr>
<td>Carmouche</td>
<td>Edwards</td>
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<tr>
<td>Casey</td>
<td>Edwards</td>
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<td>Champagne</td>
<td>Edwards</td>
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<td>Chatelein</td>
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<td>Conino</td>
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<td>Conroy</td>
<td>Edwards</td>
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<td>Nunez</td>
<td>Shannon</td>
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<td>O’Neill</td>
<td>Silverberg</td>
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<td>Perez</td>
<td>Singletary</td>
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<td>Perkins</td>
<td>Smith</td>
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<td>Blanchard</td>
<td>Soniat</td>
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<tr>
<td>Rachal</td>
<td>Slagg</td>
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<tr>
<td>Rayburn</td>
<td>Stinson</td>
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<tr>
<td>Reeves</td>
<td>Stovall</td>
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<tr>
<td>Riecke</td>
<td>Sutherland</td>
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<tr>
<td>Robinson</td>
<td>Tapper</td>
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<tr>
<td>Roemer</td>
<td>Tate</td>
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<tr>
<td>Roy</td>
<td>Thistlethwaite</td>
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<tr>
<td>Schmitt</td>
<td>Thompson</td>
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<td></td>
<td>Total—91.</td>
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<tr>
<td>Avant</td>
<td>Flory</td>
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<tr>
<td>Total—2.</td>
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<tr>
<td>Delegates—</td>
<td>Delegates—</td>
</tr>
<tr>
<td>Aertker</td>
<td>Fowler</td>
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<td>Alario</td>
<td>Gravel</td>
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<td>Armentor</td>
<td>Guarisco</td>
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<td>Bel</td>
<td>Guidy</td>
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<td>Bergeron</td>
<td>Hernandez</td>
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<td>Brown</td>
<td>Jackson, A.</td>
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<td>Cannon</td>
<td>Kean</td>
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<td>Chehardy</td>
<td>Kilbourne</td>
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<td>D’Gerolamo</td>
<td>Kilpatrick</td>
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<tr>
<td>Denner</td>
<td>Lambert</td>
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<td>Deshotels</td>
<td>LeBretton</td>
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<tr>
<td>Edwards</td>
<td>Lowe</td>
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<tr>
<td>Edwards</td>
<td>Martin</td>
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<tr>
<td>Edwards</td>
<td>Total—40.</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Juneau moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Tobias, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

**Introduction of Resolutions**

**Delegate and Committee Resolution**

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

**DELEGATE PROPOSAL No. 19—**

Introduced by Delegate Velazquez:

To provide for the Public Service Commission and necessary provisions.

Read.

Lies over under the rules.

**COMMITTEE NOTICE**

Delegate Stovall, chairman of the Committee on Rules, Credentials and Ethics, sent up the following notice:

**AGENDA**

To continue consideration of Resolutions referred to the Committee.

The meeting for Friday, July 27, previously announced is hereby cancelled.

Respectfully submitted,

JAMES L. STOVALL,
Chairman of the Committee on Rules, Credentials and Ethics

The above notice was read in open session and publicly
posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Stagg, chairman of the Committee on Executive Department, sent up the following notice:

The Committee on the Executive Department will meet on Tuesday, July 31, 1973, at 5:00 o'clock p.m. in Committee Room 1 and will consider the following agenda:

**AGENDA**

To Review Committee Proposal No. 4.

Respectfully submitted,

**TOM STAGG,**
Chairman of the Committee on Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, August 2, 1973, at 9:00 o'clock A.M. in Committee Room No. 5 and will consider the following agenda:

**AGENDA**

Continuation of hearings on education.

Continuation of consideration of proposals referred to the committee to wit:

Delegate Proposal 8
Delegate Proposal 9
Delegate Proposal 10
Committee Proposal 7

Respectfully submitted,

**ROBERT AERTKER,**
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate LeBreton, chairman of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Friday, August 3, 1973, at 11:45 o'clock A.M. in the Ante Room, White House Inn and will consider the following agenda:

**AGENDA**

Discussion of categories into which material within the jurisdiction of each substantive committee may be divided.

Respectfully submitted,

**EDWARD LEBRETON, JR.**
Chairman of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Thursday and Friday, August 2nd and 3rd, 1973, at 9:00 o'clock A.M. in Committee Room No. 4 and will consider the following agenda:

**AGENDA**

To continue consideration of the proposed article on Revenue, Finance and Taxation.

Respectfully submitted,

**B. B. RAYBURN,**
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Thursday and Friday, August 2, and 3, 1973, at 9:00 o'clock A.M. in Committee Room No. 9 and will consider the following agenda:

**AGENDA**

To continue consideration of Committee Proposal No. 17 and Delegate Proposal No. 1.

Respectfully submitted,

**C. O. PEREZ,**
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Dennis, chairman of the Committee on The Judiciary, sent up the following notice:

The Committee on The Judiciary will meet on Thursday and Friday, August 2 and 3, 1973, at 9:30 o'clock A.M. in Committee Room No. 1 and will consider the following agenda:

**AGENDA**

To continue consideration of Committee Proposal No. 6.

Respectfully submitted,

**JAMES L. DENNIS,**
Chairman of the Committee on The Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Thursday, August 2, 1973, at 9:00 o'clock A.M. in A Room to be announced and will consider the following agenda:

**AGENDA**

Continue discussion of election provisions.

Respectfully submitted,

**JUDY DUNLAP,**
Vice-Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.
Adjournment

Delegate Tobias moved that the Convention do now adjourn until Saturday, July 28, 1973 at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, July 28, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT
Delegates—
Mr. Chairman
Abraham
Aetiker
Alexander
Anzalone
Arnette
Assef
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burson
Carmouche
Casey
Champlin
Chatelain
Chehardy
Conino
Corroy
Corne
Coven
D’Cerolamo
De Bieux
Dennis
Deshotelts
Drew
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco

Rayburn
Reeves
Riecke
Robinson
Romer
Roy
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Smith
Soniat
Stagg
Stinson
Stovall
Sutherland
Tapper
Tate
Thistletwaite
Thompson
Tobias
Toca
Toopy
Triche
Ule
Velazquez
Vesich
Vick
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Total—113.

ABSENT
Delegates—
Alario
Armentor
Brown
Cannon
Dennery
Dincares
Edwards

Guidry
Jackson, A.
Kilbourne
Kilpatrick
LeBreton
Leigh
Martin

Ousso
Sandoz
Stephenson
Taylor
Wall

Total—19.

The Chairman announced that there were 113 members
present and a quorum.

Prayer
Prayer was offered by Delegate Stagg.

Pledge of Allegiance
Delegate Ullo led the Convention in reciting the Pledge of
Allegiance to the Flag of the United States of America.

Reading of the Journal
On motion of Delegate Bergeron, the reading of the Journal
was dispensed with.

On motion of Delegate Bergeron, the Journal of yesterday
was adopted.

Morning Hour
Proposals on Second Reading and Referral
The following entitled Committee and Delegate Proposals
on second reading to be referred to committees were taken
up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 19—
Introduced by Delegate Velazquez:
A PROPOSAL
To provide for the Public Service Commission and necessary
provisions.

Read.

Under the rules the above proposal was referred to the
Committee on Executive Department.

Unfinished Business
The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Delegate and Committee Proposals
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage.

COMMITTEE PROPOSAL No. 3—
Introduced by Delegate Blair, Chairman, on behalf of the
Committee on Legislative Powers and Functions, and Dele-
gates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Land-
rum, LeBreton and O’Neill:
A PROPOSAL
Making provisions for the legislative branch of government,
impoundment and removal of officials, and neces-
sary provisions with respect thereto.

Read.

Section 21. Effective Date of Laws
Section 21. All laws shall be published as provided by law
and shall take effect on the sixtieth day after final adjourn-
ment of the session in which they were enacted. However,
any bill may specify an earlier or later effective date.

Read.

Delegate Jenkins sent up floor amendments, which were
read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Jenkins to Committee
Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 22, immediately after the word “published”
and before the word “as” insert the words “in the official
journal of the state”

AMENDMENT No. 2—
On page 10, line 23, immediately after the word “and” and
before the word “shall” import the word “thereafter”

On motion of Delegate Jenkins the amendments were
adopted.

Delegate Jenkins moved to reconsider the motion by which
the amendment were adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 21, was read, as amended.

Delegate Blair moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman 
Abraham 
Aertker 
Anzalone 
Arnette 
Asseff 
Avant 
Badeaux 
Bel 
Bergeron 
Blair 
Bollinger 
Brien 
Burns 
Carmouche 
Casey 
Champagne 
Chaiselain 
Conino 
Conroy 
Corne 
Cowen 
Deshotels 
Drew 
Duval 
Elkins 
Flory 
Fontenot 
Fowler

Fulco 
Gauthier 
Garrussu 
Gravel 
Grier 
Hardee 
Hayes 
Heine 
Hernandez 
Jenkins 
Juneau 
Kean 
Kelly 
Landry, A. 
Landry, E. J. 
Lanier 
LeBlanc 
Leithman 
Lennox 
McDaniel 
Miller 
Munson 
Nunez 
O'Neill 
Perkins 
Planchard 
Rachal 
Rayburn 
Reeves

Riecke 
Robinson 
Roy 
Shannon 
Silverberg 
Singleton 
Slay 
Smith 
Soniat 
Stagg 
Stovall 
Sutherland 
Tate 
Thistlethwaite 
Thompson 
Tobias 
Toca 
Toomy 
Triche 
Velasquez 
Vesich 
Vick 
Warren 
Weiss 
Willis 
Wisham 
Womack 
Zervigon

Total—87.

NAYS

Total—0.

ABSENT

Delegates—
Alario 
Alexander 
Armstrong 
Brown 
Burton 
Canon 
Chehardy 
D'Gerolamo 
De Blieux 
Denney 
Dennis 
Derbes 
Dunlap 
Edwards 
Fayard 
Ginn 
Gueiscio 
Guysir 
Haynes 
Jack 
Jackson, A. 
Jackson, J. 
Kilbourne 
Kilpatrick 
Lambert 
Landrum 
LeBreton 
Leigh 
Lowe 
Martin

Mauberry 
Mire 
Newton 
Ourso 
Perez 
Roemer 
Sandox 
Schmitt 
Segura 
Stephenson 
Stinson 
Tapper 
Taylor 
Wall 
Winchester

Total—45.

And the Chair declared that the above Section was passed.

Delegate Blair moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 22. Suspension of Laws

Section 22. No power of suspending laws of this state shall be exercised except by the legislature and then only by the same vote required for final passage of the law proposed to be suspended. The vote thereon shall be by record vote.

Read.

Delegate Avant sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 30, at the end of the line add the following:
"Any such suspension shall be approved in writing by the governor before becoming effective."

Delegate Avant moved the adoption of the amendment.

Delegate Asseff objected.

By a vote of 19 yeas and 32 nays the amendment was rejected.

Delegate Casy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 30, after the word and punctuation "suspended," and before the word "The" insert the following:
"No law suspended after the effective date of this constitution shall remain in effect beyond the time of adjournment sine die of the next succeeding regular session of the legislature."

On motion of Delegate Perez the amendment was withdrawn.

Delegate Perez sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 30, after the word and punctuation "suspended," and before the word "The" insert the following:
"No resolution suspending a law or part of a law after the effective date of this constitution shall remain in effect beyond the time of adjournment sine die of the next succeeding regular session of the legislature."

Delegate Perez moved the adoption of the amendment.

Delegate Riecke objected.

By a vote of 84 yeas and 16 nays the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 29, immediately after the word "same" and before the word "vote" insert the following:
"committee hearing and"

On motion of Delegate De Blieux the amendment was withdrawn.

Delegate De Blieux sent up floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 28, immediately after the word "only" and before the word "by" insert the following: "after Committee hearing and"

Delegate De Blieux moved the adoption of the amendment.
Delegate Casey objected.
By a vote of 43 yeas and 52 nays the amendment was rejected.
Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Flory sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 30, at the end of the line, add the following: "Any measure to suspend a law or portion thereof shall be adopted by the same procedure as for a bill. However, such measure shall not be subject to gubernatorial veto nor time limitations with respect to introduction"

Delegate Flory moved the adoption of the amendment.
Delegate Willis objected.
By a vote of 66 yeas and 30 nays the amendment was adopted.
Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Jenkins moved that the Convention postpone further action on Section 22 at this time.
Delegate Weiss objected.
By a vote of 27 yeas and 64 nays the Convention refused to postpone further action on Section 22 at this time.

Motion

On motion of Delegate Blair the previous question was ordered.

Motion

Delegate E. J. Landry moved to reconsider the vote by which the previous question was ordered.
Delegate Bollinger objected.
By a vote of 88 yeas and 10 nays the vote by which the previous was ordered was reconsidered.

Motion

Delegate Blair had moved the passage of the Section.
As a substitute, Delegate Perez moved that the Convention postpone further action on Section 22 at this time.
The vote recurred on the substitute motion.

By a vote of 72 yeas and 26 nays the Convention postponed further action on Section 22 at this time.

Section 23. Corporations; Perpetual or Indefinite Duration; Dissolution; Perpetual Franchises or Privileges

Section 23. The legislature may authorize the organization of corporations for perpetual or indefinite duration. However, every corporation shall be subject to dissolution or forfeiture of its charter or franchise, as provided by law. Neither the state nor any political subdivision shall grant a perpetual franchise or privilege to any person or corporation.

Read.
Delegate Kean sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Kean to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 11, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 23. Neither the state nor any political subdivision shall grant a perpetual franchise or privilege to any person or corporation; however, the legislature may authorize the organization of corporations for perpetual or indefinite duration. Every corporation shall be subject to dissolution or forfeiture of its charter or franchise, as provided by general law."

Delegate Kean moved the adoption of the amendment.
Delegate Reeves objected.
By a vote of 72 yeas and 24 nays the amendment was adopted.
Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 23, was read, as amended.
Delegate Blair moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Anzalone
Arnette
Asseff
Avant
Badeaux
Blair
Bollinger
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Conino
Conroy
Correia
Cox
De Blieux
Deshotels
Drew
Dunlap
Duray
Elkins
Fayard
Flory
Total—84.

Delegates—
Bergeron

NAYS

Newton
Nunez
O’Neill
Perez
Peckins
Planchard
Riecke
Roy
Schnitt
Shannon
Silverberg
Slatley
Slay
Smith
Sinon
Sutherland
Tate
Toibin
Toomy
Triebe
Ulio
Velazquez
Vesich
Weiss
Weiss
William
Winchester
Wisah
Zervigon

Dennis
Section 24. Impeachment
Section 24. (A) Any state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction of felonies or malfeasance during his term of office, or for gross misconduct.

(B) All impeachments shall be by the House of Representatives, and shall be tried by the Senate, whose members shall be upon oath or affirmation for that purpose, and a vote of two-thirds of the senators elected shall be necessary to convict. The Senate may sit for said purpose whether the House be in session or not, and may adjourn as it thinks proper. Conviction upon impeachment shall result in immediate removal from office and shall prohibit the official from holding any office under the government of this state or any of its political subdivisions. Nothing herein shall prevent any other action, prosecution, or punishment authorized by statute.

Delegate Gravel moved the adoption of the amendment.
Delegate Warren objected.

By a vote of 88 yeas and 9 nays the amendments were adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
In Floor Amendment No. 1 proposed by Delegate Gravel, et al. and adopted by the convention on July 28, 1973, on line 3, after the words “impeachment for” and before the words “conviction of felonies” delete the words “commission or”.

Delegate Drew moved the adoption of the amendment.
Delegate Gravel objected.

By a vote of 38 yeas and 55 nays the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Roy to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 11 delete lines 7 through 26 in their entirety and insert in lieu thereof the following:

"Section 24. Impeachment
Section 24. (A) Any state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction of felonies or malfeasance during his term of office, or for gross misconduct.

(B) All impeachments shall be by the House of Representatives, and shall be tried by the Senate, whose members shall be upon oath or affirmation for that purpose, and a vote of two-thirds of the senators elected shall be necessary to convict. The Senate may sit for said purpose whether the House be in session or not, and may adjourn as it thinks proper. Conviction upon impeachment shall result in immediate removal from office. Nothing herein shall prevent any other action, prosecution, or punishment authorized by statute."

AMENDMENT No. 2—
Delegate Roy moved the adoption of the amendments.
Delegate Stagg objected.

By a vote of 62 yeas and 37 nays the amendments were adopted.

Delegate Roy moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Bergeron sent up floor amendments, which were read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Bergeron and Champagne to Committee Proposal No. 3 by Delegate Blair, et al.

AMENDMENT No. 1—
In Floor Amendment No. 1 proposed by Delegate Roy et al. and adopted by the convention on July 28, 1973, delete lines 1 through 5 both inclusive in their entirety and insert in lieu thereof the following:

"Section 24. (A) Any state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction of felonies, malfeasance, or for gross misconduct during his term of office."

Delegate Bergeron moved the adoption of the amendment.
Delegate Arnette objected.

By a vote of 73 yeas and 13 nays the amendment was adopted.

Delegate Bergeron moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 24, was read as amended.
Delegate O'Neill moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

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<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Giarrusso</td>
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NAYS

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<tr>
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ABSENT

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<td>Total—42.</td>
<td>Wall</td>
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</tbody>
</table>

And the Chair declared that the above Section was passed.
Delegate O'Neill moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 25. Removal on Address by Legislature
Section 25. For any reasonable cause, whether or not sufficient for impeachment, upon the address of two-thirds of the members elected to each house of the legislature and after a public hearing by the committee of the whole in each house, any officer except the governor or acting governor may be removed from office. Any officer so removed shall be ineligible to succeed himself. The cause or causes for which such removal is made shall be stated at length in the address.

Delegate Fayard sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Fayard, Juneau, Suther-
Amendments proposed by Delegate Fayard, Juneau, Suther-
lend, Newton, Zervigon, J. Jackson, Romer, Anzalone, Reever, Roy, Riecke and Lennox to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 11 strike out lines 27 through 32 in their entirety and on page 12 strike out lines 1 through 4 in their entirety.

AMENDMENT No. 2—
On page 12 at the beginning of line 5 and again at the beginning of line 7 strike out “Section 26.” and insert in lieu thereof “Section 25.”

AMENDMENT No. 3—
On page 12 at the beginning of line 12 and again at the beginning of line 13 strike out “Section 27.” and insert in lieu thereof “Section 26.”

Delegate Zervigon moved the adoption of the amendment.
Delegate Casey objected.

By a vote of 75 yeas and 0 nays the amendments were adopted.
Delegate Fayard moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 26. Removal by Suit; Officers Subject; Commence-
ment of Suit
Section 26. For the causes enumerated in Paragraph (A) of Section 24 of this Article, the legislature shall by general law provide for the removal by suit of any state, district, parochial, ward, or municipal officer excepting the governor, lieutenant governor, and judges of the courts of record.

Read.
Delegate Casey sent up floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Casey to Committee Proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 12, at the end of line 8, immediately after the word “Subject” delete “;” and at the beginning of line 9 delete “ment of Suit”

On motion of Delegate Casey the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 26, was read.

Delegate Casey moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**NAYS**

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</table>

| Total—49. |

And the Chair declared that the above Section was passed.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Fayed</td>
<td></td>
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<tr>
<td>Flory</td>
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<tr>
<td>Fontenot</td>
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<td>Giarrusso</td>
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<td>Grier</td>
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<tr>
<td>Hardee</td>
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<tr>
<td>Heine</td>
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<tr>
<td>Hernandez</td>
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<tr>
<td>Jackson</td>
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<tr>
<td>Jenkins</td>
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<tr>
<td>Juneau</td>
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<tr>
<td>Kean</td>
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<tr>
<td>Kelly</td>
<td></td>
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<tr>
<td>Lambert</td>
<td></td>
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<tr>
<td>Landry, A</td>
<td></td>
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<tr>
<td>Landry, E. J.</td>
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<tr>
<td>Lanier</td>
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<td>LeBlu</td>
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<td>Lennox</td>
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<tr>
<td>McDonald</td>
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<td>Mire</td>
<td></td>
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<tr>
<td>Newton</td>
<td></td>
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<tr>
<td>O'Neill</td>
<td></td>
</tr>
</tbody>
</table>

| Total—63. |

| Total—0.  |

**NAYS**

<table>
<thead>
<tr>
<th>Delegates—</th>
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</thead>
<tbody>
<tr>
<td>Guarisco</td>
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<tr>
<td>Guidry</td>
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<tr>
<td>Hayes</td>
<td></td>
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<tr>
<td>Haynes</td>
<td></td>
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<tr>
<td>Jackson, A</td>
<td></td>
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<tr>
<td>Kilbourne</td>
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<td>Kilpatrick</td>
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<td>Landrum</td>
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<td>LeBreton</td>
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<td>Leigle</td>
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<td>Leithman</td>
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<td>Lowe</td>
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<td>Martin</td>
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<td>Miller</td>
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<td>Munson</td>
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<td>Nunez</td>
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<tr>
<td>Oursu</td>
<td></td>
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</tbody>
</table>

| Total—54. |

And the Chair declared that the above Section was passed.

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 3 by Delegate Blair, et al.
Amend reprint as reengrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 12, on line 18, insert the following:

“Section 26. Taking Office
Section 26. (A) Members of the legislature shall take office on the same day as the governor and other officials elected statewide.
(B) A person elected to fill the remainder of an unexpired legislative term shall take office within thirty days after the secretary of state promulgates the election returns.”

On motion of Delegate Drew the amendment was withdrawn.

**Motion**

On motion of Delegate Perez the Convention took up Section 22 of Committee Proposal No. 3, action upon which had been previously postponed.

**Section 22. Suspension of Laws**

Section 22. No power of suspending laws of this state shall be exercised except by the legislature and then only by the same vote required for final passage of the law proposed to be suspended. The vote thereon shall be by record vote.

Read.

Delegate Triche sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Triche to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprint as reengrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 16, line 26, at the end of the line, delete the word “Laws” and insert in lieu thereof the words “Laws; Prohibition.”

**AMENDMENT No. 2—**
On page 20, line 27, at the beginning of the line, immediately after “Section 22” delete the remainder of the line and delete lines 28 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

“Subsequent to the effective date of this constitution no law shall be suspended.”

**AMENDMENT No. 3—**

Delegate Triche moved the adoption of the amendments.

Delegate Jenkins objected.

By a vote of 34 yeas and 45 nays the amendments were rejected.

Delegate Perez moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Perez, Jenkins, Flory and De Blieux to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprint as reengrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 16, delete lines 27 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 22. No power of suspending laws of this state shall be exercised except by the legislature and then only by the same vote and, except for gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of the law proposed to be suspended. After the effective date of this constitution every resolution suspending a law shall fix the period of the suspension, which shall not extend beyond the effective date of the laws enacted at the next regular session of the legislature.”

**AMENDMENT No. 2—**

On motion of Delegate Perez the amendments were adopted.

Delegate Perez moved to reconsider the motion by which the amendments were adopted and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 3, Section 22, was read, as amended.

Delegate Blair moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>DELEGATES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mr. Chairman</td>
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<td></td>
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<tr>
<td>Abraham</td>
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<td>Alexander</td>
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<td>Anzalone</td>
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<td>Arnette</td>
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<td>Avant</td>
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<td>Badeaux</td>
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<td>Blair</td>
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<td>Bollinger</td>
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<td>Brien</td>
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<td>Burns</td>
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<td>Burson</td>
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<td>Carmouche</td>
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<td>Chateauff</td>
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<td>Conine</td>
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<td>Cowen</td>
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<td>De Blieux</td>
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<td>Dennis</td>
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<td>Duval</td>
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<td>Elkins</td>
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<td>Fayard</td>
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<tr>
<td>Flory</td>
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<tr>
<td>Total—80.</td>
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</tbody>
</table>

| NAYS  |          |          |
| DELEGATES |         |          |
| Casey |          |          |
| Total—3. |      |          |

| ABSENT |          |          |
| DELEGATES |        |          |
| Aikker |          |          |
| Alario |          |          |
| Armentor |        |          |
| Bel |          |          |
| Brown |          |          |
| Cannon |         |          |
| Champagne |     |          |
| Chehardy |      |          |
| DGerolamo |     |          |
| Denney |          |          |
| Derbes |          |          |
| Deshotels |       |          |
| Edwards |          |          |
| Fontenot |        |          |
| Fowler |          |          |
| Fulco |          |          |
| Gauthier |       |          |
| Total—49. |    |          |

And the Chair declared that the above Section was passed.
Delegate Blair moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Blair, the Convention took up Section 12 of Committee Proposal No. 3, action upon which had been previously postponed.

**Section 12. Local or Special Laws**

Section 12. The legislature shall pass no local or special law when a general law is or can be made applicable.

Delegate Burson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Burson, Kean, Perez, Tate, Casey and Lanier to Committee Proposal No. 3 by Delegate Blair, et al.

Amend Reprinted as Reengrossed Proposal as follows:

**AMENDMENT No. 1**—
On page 6, strike out in their entirety lines 23, 24 and 25 and insert in lieu thereof the following:

"Section 12. Local or Special Laws
The legislature may pass local or special laws, but no such law shall be valid if its effect is to exempt a particular person from a general law or if its effect is to grant to a particular person any personal or real right uniformly limited or denied to all persons by general law or if its effect is to limit or deny to a particular person any personal or real right uniformly granted to all persons by general law. As used herein, the word "person" includes an individual, partnership, unincorporated association of individuals, joint stock company, or corporation but shall not include a political subdivision of the state."

Delegate Burson moved the adoption of the amendment.

**Motion**

On motion of Delegate O'Neill the Convention postponed any further action on Section 12 at this time.

**Leave of Absence**

Delegate Dennery—1 day.
Delegate Kilbourne—1 day.

**Adjournment**

Delegate O'Neill moved that the Convention do now adjourn until Wednesday, August 1, 1973, at 9:30 A.M.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>DELEGATES</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Alexander</td>
<td>Ginn</td>
</tr>
<tr>
<td>Arnette</td>
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<tr>
<td>Asseff</td>
<td>Guerisco</td>
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<tr>
<td>Avant</td>
<td>Hardee</td>
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<td>Hayes</td>
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<td>Bergeron</td>
<td>Haynes</td>
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<tr>
<td>Blair</td>
<td>Heine</td>
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<td>Bollinger</td>
<td>Hernandez</td>
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<td>Brien</td>
<td>Jack</td>
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<td>Burns</td>
<td>Jenkins</td>
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<td>Jenkins</td>
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<td>Carmouche</td>
<td>Juneau</td>
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<tr>
<td>Casey</td>
<td>Keen</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Landry, A.</td>
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<td>Conroy</td>
<td>Landry, E. J.</td>
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<td>De Blieux</td>
<td>Lanier</td>
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<td>Dennis</td>
<td>LeBlanc</td>
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<td>Drew</td>
<td>Lennox</td>
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<td>Dunlap</td>
<td>Mauberret</td>
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<td>Eikins</td>
<td>Miller</td>
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<td>Fayard</td>
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<td>Nunez</td>
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<td>O'Neill</td>
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<table>
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<tr>
<th>DELEGATES</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jackson, J.</td>
<td>Weiss</td>
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</table>

**ABSENT**

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<tr>
<th>DELEGATES</th>
<th>ROLL CALL</th>
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<tbody>
<tr>
<td>Acker</td>
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<tr>
<td>Alario</td>
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<td>Armentor</td>
<td>Ginn</td>
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<td>Bel</td>
<td>Grier</td>
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<td>Brown</td>
<td>Guerisco</td>
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<td>Cannon</td>
<td>Hardee</td>
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<td>Chehardy</td>
<td>Hayes</td>
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<td>Corne</td>
<td>Haynes</td>
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<td>Cowen</td>
<td>Heine</td>
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<tr>
<td>D'Gerolamo</td>
<td>Hernandez</td>
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<td>Dennery</td>
<td>Jack</td>
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<td>Jenkins</td>
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<td>Edwards</td>
<td>Jenkins</td>
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<tr>
<td>Fontenot</td>
<td>Juneau</td>
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<tr>
<td>Fowler</td>
<td>Keen</td>
</tr>
<tr>
<td>Fulco</td>
<td>Kelly</td>
</tr>
<tr>
<td>Total—50.</td>
<td>Landrum</td>
</tr>
</tbody>
</table>

And the Convention adjourned until Wednesday, August 1, 1973 at 9:30 o'clock A.M.

And Chairman Henry declared the Convention adjourned to Wednesday, August 1, 1973 at 9:30 o'clock A.M.

MOISE W. DENNENY, Secretary.

DAVID R. POYNTER, Chief Clerk.
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

TWENTY-THIRD DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Wednesday, August 1, 1973, Baton Rouge, La.
The Convention was called to order at 9:30 o'clock a.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered
to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Compo
Conroy
Corne
Cowe
D'Gerolamo
De Bleux
Denner
Dennis
Derbes
Deshotel
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fonterot

Total—129.

Delegates—

Alexander
Armentor
Cannon
Hasde

Total—12.

The Chairman announced that there were 120 members
present and a quorum.

ABSENT

Heine
Jackson, J.
LeBreston
Perkins

Total—12.

Prayer

Prayer was offered by Delegate Warren.

Pledge of Allegiance

Delegate Elkins led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Abraham, the reading of the Jour-
nal was dispensed with.

On motion of Delegate Abraham, the Journal of yester-
day was adopted.

Morning Hour

Introduction of Resolutions

Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their
committees introduced the following entitled resolutions:

COMMITTEE PROPOSAL No. 19—

Introduced by Delegate Stagg, Chairman, on behalf of the
Committee on Executive Department and Delegates Abra-
ham, Alexander, Anzalone, Arnette, Asseff, Brien, Denney,
Duval, Gravel, Stovall and Tapper:

A PROPOSAL

Making provisions in the Schedule provisions of the Consti-
tution for mandatory reorganization of the executive
branch of state government.

Read.

Lies over under the rules.

Unfinished Business

The following unfinished business in which the Conven-
tion was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 3—

Introduced by Delegate Blair, Chairman, on behalf of the
Committee on Legislative Powers and Functions, and Dele-
gates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Lan-
drum, LeBretton and O'Neill:

A PROPOSAL

Making provisions for the legislative branch of govern-
ment, impeachment and removal of officials, and neces-
sary provisions with respect thereto.

Read.

Section 12. Local or Special Laws

Section 12. The legislature shall pass no local or special
law when a general law is or can be made applicable.

Read.

The Chairman announced that the Convention had under
consideration the following amendment when it adjourned
on Saturday, July 28, 1973, which was taken up and acted upon
as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Burson, Kean, Perez,
Casey and Lanier to Committee Proposal No. 3 by Delegates
Blair, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, strike out in their entirety lines 23, 24 and 25
and insert in lieu thereof the following:

“Section 12. Local or Special Laws

Section 12. The legislature may pass local or special laws,
but no such law shall be valid if its effect is to exempt a particular person from a general law or if its effect is to permit to a particular person any personal or real right uniformly limited or denied to all persons by general law or if its effect is to limit or deny to a particular person any personal or real right uniformly granted to all persons by general law. As used herein, the word “person” includes an individual, partnership, unincorporated association of individuals, joint stock company, or corporation but shall not include a political subdivision of the state."

Delegate Burson moved the adoption of the amendment.

Delegate Conroy objected.

By a vote of 27 yeas and 72 nays the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Conroy and Newton to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 23, 24, and 25 in their entirety and insert in lieu thereof the following:

"Section 12. Local and Special Laws: Prohibition Against Enactment."

Section 12. (A) The legislature shall not pass any local or special law:

(A) The legislature shall not pass any local or special law:

(1) The legislature shall not pass any local or special law;

(2) For the holding and conducting of elections, or fixing or changing the place of voting; or changing the names of persons; or authorizing the adoption or legitimation of children; or the emancipation of minors; or affecting the estates of minors or persons under disabilities; or granting divorces; or changing the law of descent or succession; or giving effect to informal or invalid wills or deeds or to any illegal disposition of property.

(3) Concerning any civil or criminal actions, including changing the venue in civil or criminal cases, or regulating the practice or jurisdiction of any court, or changing the rules of evidence in any judicial proceeding or inquiry before courts, or providing or changing methods for the collection of debts or the enforcement of judgments, or prescribing the effects of judicial sales.

(4) Authorizing the laying out, opening, closing, altering, or maintaining of roads, highways, streets, or alleys; relating to ferries and bridges, or incorporating bridge or ferry companies, except for the erection of bridges crossing streams which form boundaries between this and any other state; or authorizing the constructing of street passenger railroads in any incorporated town or city.

(5) Exempting property from taxation; extending the time for the assessment or collection of taxes; for the relief of any assessor or collector of taxes from the performance of his official duties or of his sureties from liability; remitting fines, penalties, and forfeitures; or refunding moneys legally paid into the treasury.

(6) Regulating labor, trade, manufacturing, or agriculture; fixing the rate of interest.

(7) Creating corporations, or amending, renewing, extending, or explaining the charters thereof; granting to any corporation, association, or individual any special or exclusive right, privilege, or immunity.

(8) Regulating the management of public schools, the building or repairing of schoolhouses and the raising of money for such purposes, except as otherwise provided in this constitution."

Delegate Conroy moved the adoption of the amendment.

Delegate Duval objected.

By a vote of 52 yeas and 46 nays the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, between lines 25 and 26, add the following paragraph:

(2) The legislature shall not indirectly enact special or local laws by the partial repeal of a general law."

On motion of Delegate Drew the amendment was adopted.

Delegate Drew moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 25, at the end of the line, add the following paragraph:

(2) The legislature shall not indirectly enact special or local laws by the partial repeal of a general law."

Delegate Avant moved the adoption of the amendment.

Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Abraham</td>
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<tr>
<td>Avant</td>
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<tr>
<td>Bel</td>
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<tr>
<td>Bergeron</td>
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<td>Bollinger</td>
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<td>Brien</td>
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<td>Carmouche</td>
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<tr>
<td>Champagne</td>
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<tr>
<td>Conilo</td>
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23rd Days Proceedings—August 1, 1973

LeBleu
Lethman
Lennox
McDaniel
Munson
Nunez
Total—48.

Delegates—
Mr. Chairman
Alexander
Armentor
Brown
Cannon
Casey
Cowan
Dennis
Edwards
Fayard
Gauthier
Total—32.

ABSENT
LeBleu
Perez
Planchar
Segura
Smith
Stinson
Thistlethwaite
Tocca
Toomy
Ullo

And the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 23 through 25, both inclusive, in their entirety and strike out Floor Amendment No. 1 proposed by Delegate Conroy, et al. and adopted by the Convention on August 1, 1973, and strike out Floor Amendment No. 1 proposed by Delegate Drew and adopted by the Convention on August 1, 1973, and strike out Floor Amendment No. 1 proposed by Delegate Avant and adopted by the Convention on August 1, 1973.

Delegate Casey moved the adoption of the amendment.
Delegate Avant objected.

By a vote of 88 yeas and 15 nays the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate De Bieaux moved to call from the table the motion to reconsider the vote by which Committee Proposal No. 3, Section 19, was adopted.

Delegate Bollinger objected.

By a vote of 40 yeas and 58 nays the Convention refused to call from the table the motion to reconsider the vote by which Committee Proposal No. 3, Section 19, was adopted.

Delegate Landrum sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Landrum to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 12, line 18, add the following section:
“Section 27. Statement of Economic Interests
Section 27. Each member of the legislature shall file a sworn statement of his or her economic interests. This statement shall be filed annually with the secretary of state and shall be a public record. Failure to file a statement within the time prescribed shall be cause for forfeiture of the office.”

Delegate Landrum moved the adoption of the amendment.
Delegate Burns objected.

Point of Order

Delegate Arnette sought a ruling of the Chair as to whether an amendment to a proposal was in order which would have the effect of adding a new Section thereto.

The Chair ruled that such an amendment was in order.

Appeal

Delegate Arnette appealed the ruling of the Chair.

The question was put, in accordance with the Rules, to sustain the Chair.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Aiar
Anzalone
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burton
Carmouche
Casey
Champagne
Chatelain
Cherardy
Conino
Corne
D'Gerolamo
De Bieaux
Derbes
Drew
Duval
Edwards
Elkins
Flory
Fowler
Fulco
Gauthier
Giarruso
Total—97.

Ginn
Gravel
Grier
Guitar
Gudr
Hayes
Haynes
Hernandez
Jack
Jackson, A.
Jenkins
Kean
Kelly
Kilbourne
Kilpatrick
Landry
Landry, E. J.
Lanier
LeBleue
Leigh
Leitman
Lennox
Martin
Mire
Munson
Newton
Nunez
O'Neill
Perez
Planchar
Rayburn
Reeves
Ullo
Velasquez
Vick
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Robinson
Roemer
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Smith
Soniat
Stagg
Stephenson
Stevall
Sutherland
Tate
Taylor
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Triche
Ullo
Velasquez
Vick
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

NAYS

Delegates—
Arnette
Conroy
Dennery
Deshotele
Total—10.

Dunlap
Fontenot
McDaniel

Miller
Roy
Stinson

ABSENT

Delegates—
Mr. Chairman
Alexander
Armentor
Brown
Cannon
Total—11.

Cowan
Dennis
Fayard
Hardee
Heine
Jackson, J.
Juneau
Lambert
Landry, A.
LeBleue

Jackson, J.
Juneau
Lambert
Landry, A.
LeBleue

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23rd Days Proceedings—August 1, 1973

Delegates—
Mr. Chairman
Alexander
Armentor
Brown
Cannon
Cowan
Flory
Hardee
Total—24.

ABSENT
Heine
Jackson, J.
Juneau
Lambert
Landry, A.
LeBreton
Mauberret
Ourse
Total—24.

And the amendment, having failed to receive the vote of a majority of the total membership required to adopt a Section to a Proposal, failed to pass.

Delegate Drew moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Committee Proposal No. 3 by Delegate Blair, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, on line 18, insert the following:
“Section 27. Taking Office
Section 27 (A) Members of the legislature shall take office thirty days prior to the date for the convening of the first session of each term for which members are elected every four years.
(B) A person elected to fill an unexpired legislative term shall take office thirty days after the secretary of state promulgates the election returns.”

Delegate Drew moved the adoption of the amendment.
Delegate Dennehy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Armiter
Asseff
Bergeron
Chatelain
Chehardy
Conlon
D’Gerolamo
De Blieux

Ginn
Haynes
Kelly
Landrum
Lanier
Miller
Roemer
Schmitt

Singletary
Stovall
Sutherland
Thompson
Velazquez
Warren
Willis
Wisham

Total—64.

NAYS

Delegates—
Abrahm
Alario
Anzalone
Arnette
Avant
Badeaux
Bel
Blair
Bollinger
Bren
Burns
Burson
Carmouche
Casey
Champagne
Conroy
Corne
Denner
Dennis
Dobes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Fontenot

Fowler
Fulco
Gauthier
Ginn
Gravel
Grier
Guindry
Hayes
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Jean
Kean
Kilbourne
Kilpatrick
Landry, E. J.
LeBlu
Leigh
Leithman
Lennox
Lowe
McDaniel
Martin
Mire
Monson
Newton
Nunez

O’Neill
Perez
Planehard
Rayburn
Reeves
Robinson
Roy
Sandoz
Segura
Shannon
Silverberg
Smith
Soniat
Stagg
Stephenson
Sutter
Taylor
Thistlethwaite
Thompson
Toca
Toomy
Triche
Ullo
Vick
Weiss
Winchester
Womaek
Zervigon

Total—78.

NAYS

Delegates—
Arnette
Carmouche
Champagne
Corne
Derbes
Elkins
Fayard
Fontenot

Corne
Denner
Edwards
Giarrusso
Hayes
Jenkins
The amendment having received a vote of the majority of the total membership required to adopt a Section, was adopted.

Delegate Drew moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

The Proposal was read.

**Final Passage**

Delegate Blair moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman—

Mr. Chairman

Abraham

Aecker

Alario

Anzalone

Arnette

Badeaux

Bel

Bergeron

Blair

Bollinger

Brien

Burns

Burson

Carmouche

Casey

Champagne

Chatelain

Chehardy

Conino

Conroy

Corne

D'Gerolamo

De Blieux

Dennery

Dennis

Derbes

Deshotel

Drew

Dunlap

Duvall

Edwards

Elkins

Fayard

Total—102.

**NAYS**

Delegates—

Asseff

Avant

Flory

Total—7.

And the Chair declared that the above Proposal was finally passed.

**Motion**

Delegate Thompson moved that the Convention convene at 9:00 o'clock A.M. on Wednesday, Thursday and Friday beginning August 6, 1973.

As a substitute Delegate LeBleu moved that the Convention convene at 9:00 o'clock A.M. on Monday, Tuesday and Wednesday, and Thursday if necessary, beginning August 6, 1973.

Delegate Smith moved the previous question.

Delegate Warren objected.

By a vote of 67 yea and 27 nays the previous question was ordered.

And the vote recurred on the substitute motion.

By a vote of 19 yea and 86 nays the substitute motion was rejected.

The Chair announced that the original motion was now pending.

**Motion**

As a substitute, Delegate Smith moved to table the entire subject matter.

Delegate Thompson objected.

By a vote of 75 yea and 33 nays the entire subject matter was tabled.

**Resolutions**

**Delegate and Committee**

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

**COMMITTEE RESOLUTION No. 8—**

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, McDaniel, Mire, Singletary, Velazquez and Warren:

A RESOLUTION

Amending Rule No. 40 of the Standing Rules of the Constitutional Convention to clarify that the requirement that each committee proposal shall bear the signature of a majority of the members of the committee.

Read.

Delegate Stovall moved the adoption of the resolution.

Delegate Brown objected.

By a vote of 105 yea and 3 nays the resolution was adopted.

Delegate Stovall moved to reconsider the vote by which the resolution was adopted, and on his own motion, the motion to reconsider was laid on the table.

**COMMITTEE RESOLUTION No. 9—**

Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bel, Bollinger, Corne, Elkins, Flory, Haynes, McDaniel, Mire, Sandoz, Shannon, Singletary, Stagg, Velazquez and Warren:

A RESOLUTION

To adopt standing rules to regulate the use of duplicating
equipment and the distribution of materials to delegates while in session.

Read.

Delegate Stovall moved the adoption of the resolution.

By a vote of 106 yeas and 0 nays the resolution was adopted.

Delegate Corne moved to reconsider the vote by which the resolution was adopted, and on her own motion, the motion to reconsider was laid on the table.

DELEGATE RESOLUTION No. 26—
Introduced by Delegates Juneau, Fayard, T. Casey and Kelly:

A RESOLUTION
Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

Read.

Delegate Juneau moved the adoption of the resolution.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Fowler
Gauthier
Giarrusso
Ginn
Gravel
Grier
Guarisco
Hernandez
Jack
Jackson, A.
Juneau
Kelly
Kilpatrick
Lambert
Landrum
Lanier
LeBlanc
Leithman
Lennox
McDaniel
Martin
Mauberret
Miller
Mire
Monson
Newton
Nunez
O’Neill
Ours
Ponient
Planchard
Rayburn
Reeves
Roy
Sandor
Schmitt
Shannon
Singletary
Slay
Smith
Sinclair
Stagg
Stephenson
Stovall
Tate
Taylor
Thistlethwaite
Thompson
Tibbs
Toca
Tribe
Ullo
Velazquez
Vick
Warren
Weiss
Willis
Winchester
Zervigon

NAYS

Delegates—
Anzalone
Champagne
Blair
Conroy
De Blieux
Drew
Edwards
Total—22.

ABSENT

Delegates—
Alexander
Armentor
Burson

Cannon
Cowen
Flory
Guidry
Hardee
Heine
Jackson, J.
Kean
Kilbourne
LeBreton
Perez
Perkins
Rachal
Riecke
Segura
Tapper
Tesich
Wall
Womack
Total—23.

And the resolution was adopted.

Delegate Juneau moved to reconsider the vote by which the resolution was adopted, and on his own motion, the motion to reconsider was laid on the table.

COMMITTEE RESOLUTION No. 10—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials, and Ethics and Delegates:

A RESOLUTION
To amend and adopt Rule No. 30 of the Standing Rules of the Constitutional Convention to provide for the limitation of debate.

Read.

Delegate Rayburn sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Rayburn and Stovall to Committee Resolution No. 10 by Delegate Stovall, et al.

Amend engrossed Resolution as follows:

AMENDMENT No. 1—
On page 1, delete lines 13 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"Rule No. 30. Limits on debate. Delegates shall not speak more than once nor more than five minutes to the same question, without leave of the convention, except that the mover, proposer, or introducer of the matter pending, and/or his designees, shall be permitted to speak for a total of not more than ten minutes for purposes of opening and closing. The mover, proposer, or introducer shall not be recognized to close until every delegate choosing to speak has spoken, except when the previous question or the previous question on the entire subject matter has been ordered, but when so ordered, he shall have the right nonetheless to close."

Delegate Rayburn moved the adoption of the amendment.

Delegate Bollinger objected.

By a vote of 66 yeas and 42 nays the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roemer sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates De Blieux, Fayard and Roemer to Committee Resolution No. 10 by Delegate Stovall, et al.

Amend engrossed Resolution as follows:

AMENDMENT No. 1—
On page 1, delete lines 13 through 24, both inclusive, in their entirety and insert in lieu thereof the following:

"Rule No. 30. Limits on debate. Delegates shall not speak more than once nor more than five minutes to the same question, without leave of the convention, except that the mover, proposer, or introducer of the matter pending, and/or his designees, shall be permitted to speak for a total of not more than ten minutes for purposes of opening plus five minutes for questions. The mover, proposer, or introducer shall not be recognized to close until every delegate choosing to speak has spoken, except when the previous question or the previous question on the entire subject matter has been ordered, but when so ordered, he shall have the right none-
the less to close and shall be limited to five minutes for closing."

AMENDMENT No. 2—
Strike out Floor Amendment No. 1 proposed by Delegate Rayburn, et al and adopted by the Convention on August 1, 1973.

Delegates Roemer moved the adoption of the amendments.
Delegate Stinson objected.
By a vote of 77 yeas and 27 nays the amendments were adopted.

Delegates Roemer moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate De Blieux moved that the resolution be returned to the Calendar.
Delegate Rayburn objected.
By a vote of 44 yeas and 57 nays the Convention refused to return the resolution to the Calendar.
Delegate Stovall moved the adoption of the resolution.
By a vote of 103 yeas and 0 nays the resolution was adopted.

Delegate Stovall moved to reconsider the vote by which the resolution was adopted, and on his own motion, the motion to reconsider was laid on the table.

DELEGATE RESOLUTION No. 29—
Introduced by Delegate Burson:
A RESOLUTION
To amend Rule No. 43 of the Standing Rules of the Constitutional Convention to provide for adoption of proposals by subsection or paragraph rather than by section.

Read.
Delegate Burson moved the adoption of the resolution.
Delegate Drew objected.
By a vote of 40 yeas and 65 nays the resolution was rejected.

Delegate Drew moved to reconsider the vote by which the resolution was rejected, and on his own motion, the motion to reconsider was laid on the table.

DELEGATE RESOLUTION No. 30—
Introduced by Delegate Burson:
A RESOLUTION
To amend Rule No. 46 of the Standing Rules of the Constitutional Convention to require that amendments to proposals be germane.

Read.
Delegate Burson sent up floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Burson to Delegate Resolution No. 30 by Delegate Burson.
Amend printed Resolution as follows:

AMENDMENT No. 1—
On page 1, at the end of line 14, after the comma "," add the following:
"and/or to the subject of the proposal itself."

Delegate Burson moved the adoption of the amendment.
Delegate Drew objected.

By a vote of 85 yeas and 13 nays the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his motion, the motion to reconsider was laid on the table.

Delegate Burson moved the adoption of the resolution, as amended.
Delegate Drew objected.
By a vote of 93 yeas and 6 nays the resolution, as amended, was adopted.

Delegate Burson moved to reconsider the vote by which the resolution was adopted, and on his own motion, the motion to reconsider was laid on the table.

Proposals
Delegate and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department and Delegate Abraham, Alexander, Arnette, Brien, Duval, Gravel, Stovall and Tapper:

A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

ARTICLE IV. EXECUTIVE BRANCH

Section 1. Composition
Section 1. (A) The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, and all other executive offices, agencies, and instrumentalities.
(B) All offices, agencies, and other instrumentalities of the executive branch of state government and their respective functions, powers, duties, and responsibilities, except for the offices of governor and lieutenant governor, shall be allocated, according to function, within not more than twenty departments.

Read.
Delegate Anzalone sent up floor amendments, which were read as follows:

Amendment proposed by Delegates Anzalone, Assiff, Alario, Gauthier, Fowler, LeBlanc, Thompson, Reeves, Roemer, Floray, Avant, Jack, Toca, Ullo, Kelly, Deshotels, Winchester, Kilbourne, O'Neill, Bollinger, D'Gerolamo, Grier, Jack, Jenkins, Lowe, Mauberret, Ousso, Velazquez, Warren and Weiss to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 14 through 19, both inclusive, in their entirety and insert in lieu thereof the following:
"ARTICLE IV. EXECUTIVE BRANCH
Section 1. Composition
Section 1. (A) The executive branch shall consist of the governor, lieutenant governor, secretary of state, treasurer, attorney general, register of the land office, commissioner of insurance, commissioner of agriculture, custodian of voting machines, state superintendent of public education, and all of other executive officers, agencies, and instrumentalities."

Delegate Anzalone moved the adoption of the amendment.

Motion
Delegate Rayburn moved that further action be postponed on Section 1 at this time.
Delegate O'Neill objected.
By a vote of 52 yeas and 59 nays the Convention refused to postpone further action on Section 1 at this time.

**Motion**

On motion of Delegate Jack, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

**DELEGATE PROPOSAL No. 20—**

Introduced by Delegate Jack:

A PROPOSAL

Limiting the number of proposed constitutional amendments that may be submitted to the voters at any one election.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 21—**

Introduced by Delegate Jack:

A PROPOSAL

Making provisions for a deduction in state income taxes for federal income tax payments made during the same period.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 22—**

Introduced by Delegates Conroy and Newton:

A PROPOSAL

To provide for the prohibition of certain enumerated local and special laws.

Read.

Lies over under the rules.

**Motion**

On motion of Delegate Stagg the rules were suspended in order to call a meeting of the Committee on Executive Department without giving the required twenty-four hour notice.

**COMMITTEE NOTICE**

Delegate Stagg, chairman of the Committee on the Executive Department, sent up the following notice:

The Committee on the Executive Department will meet on Thursday, August 2, 1973, at 9:00 o'clock a.m. in Committee Room 205 and will consider the following agenda:

**AGENDA**

To continue its meeting of Thursday, July 26.

Respectfully submitted,

TOM STAGG, Chairman of the Committee on the Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Leave of Absence**

Delegate Perkins—4 Days.

**Adjournment**

Delegate Fulco moved that the Convention do now adjourn until Thursday, August 2, 1973 at 1:00 o'clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, August 2, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Dennis.

Pledge of Allegiance

Delegate Stephenson led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Leithman, the reading of the Journal was dispensed with.

On motion of Delegate Leithman, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

Delegate Stovall, chairman, on behalf of the Committee on Rules, Credentials and Ethics, submitted the following report:

State of Louisiana Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Rules, Credentials and Ethics to submit the following report:

DELEGATE RESOLUTION No. 27—

Introduced by Delegate James H. Brown, Jr.

A RESOLUTION

To extend greetings and commendations to the surviving delegates of the Louisiana Constitutional Convention of 1921 and to request their assistance and advice in the work of this convention.

Reported favorably.

DELEGATE RESOLUTION No. 28—

Introduced by Delegates Assef, Lenroxx, Miller, Planchar, Wisham and Anzalone

A RESOLUTION

Relative to reports of substantive committees.

Reported unfavorably.

DELEGATE RESOLUTION No. 32—

By Delegate Leithman:

A RESOLUTION

To provide for the numbering sequence in Rule No. 66 of the Rules of Procedure.

Reported with amendments.

DELEGATE RESOLUTION No. 34—

Introduced by Delegate Assef:

A RESOLUTION

To amend Rule No. 76 relative to the previous question.

Reported unfavorably.

Respectfully submitted,

JAMES L. STOVALL, Chairman.

Delegate Perez, chairman, on behalf of the Committee on Local and Parochial Government, submitted the following report:

State of Louisiana Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:
I am directed by your Committee on Local and Parochial Government to submit the following report:

**DELEGATE PROPOSAL No. 1**
Introduced by Delegate Asseff:  
A PROPOSAL  
For supplemental pay increases for state policemen.

Reported without action with recommendation that it be recommitted to the Committee on Education and Welfare.

Respectfully submitted,  
CHALIN Q. PEREZ,  
Chairman

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading:

**DELEGATE PROPOSAL No. 23**
Introduced by Delegate Abraham:  
A PROPOSAL  
Relative to appropriations by the legislature for the state budget.

Read.

Lies over under the rules.

**Proposals on Second Reading and Referral**

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**COMMITTEE PROPOSAL No. 19**
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department and Delegate Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Dennery, Duval, Gravel, Stovall and Tapper:  
A PROPOSAL  
Making provisions in the Schedule provisions of the Constitution for mandatory reorganization of the executive branch of state government.

Read.

Under the rules the above proposal was referred to the Committee on Executive Department.

**DELEGATE PROPOSAL No. 20**
Introduced by Delegate Jack:  
A PROPOSAL  
Limiting the number of proposed constitutional amendments that may be submitted to the voters at any one election.

Read.

Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

**DELEGATE PROPOSAL No. 21**
Introduced by Delegate Jack:  
A PROPOSAL  
Making provisions for a deduction in state income taxes for federal income tax payments made during the same period.

Read.

Under the rules the above proposal was referred to the Committee on Revenue, Finance and Taxation.

**DELEGATE PROPOSAL No. 22**
Introduced by Delegates Conroy and Newton:  
A PROPOSAL  
To provide for the prohibition of certain enumerated local and special laws.

Read.

Under the rules the above proposal was referred to the Committee on Legislative Powers and Functions.

**Unfinished Business**

The following unfinished business in which the House was engaged at the time of its adjournment on Wednesday, August 1, 1973, was taken up and acted on:

**Proposals**

**Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 4**
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department and Delegate Abraham, Alexander, Arnette, Brien, Duval, Gravel, Stovall and Tapper:  
A PROPOSAL  
Providing for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

**ARTICLE IV. EXECUTIVE BRANCH**

**Section 1. Composition**

Section 1. (A) The executive branch shall consist of the governor, lieutenant governor, secretary of state, attorney general, treasurer, and all other executive offices, agencies, and instrumentalities.

(B) All offices, agencies, and other instrumentalities of the executive branch shall consist of the governor, lieutenant governor, and all other executive offices, agencies, and instrumentalities.

The Chairman announced that the Convention had under consideration the following amendment to Committee Proposal No. 4, Section 1, when it adjourned on Wednesday, August 1, 1973, which was taken up and acted upon as follows:


Amend printed as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 1, delete lines 14 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"ARTICLE IV. EXECUTIVE BRANCH"

Section 1. Composition.

Section 1. (A) The executive branch shall consist of the governor, lieutenant governor, secretary of state, treasurer, attorney general, register of the land office, commissioner of insurance, commissioner of agriculture, custodian of voting machines, state superintendent of public education, and all of other executive officers, agencies, and instrumentalities."

Read.

Delegate Anzalone moved the adoption of the amendment. Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Avant</td>
<td>Blair</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Bel</td>
<td>Bollinger</td>
</tr>
<tr>
<td>Asseff</td>
<td>Bergeron</td>
<td>Burns</td>
</tr>
</tbody>
</table>
FLOOR AMENDMENT

Amendment proposed by Delegates Debrus and Lambert to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, after the word and punctuation "trea-urer," insert the words and punctuation "commissioner of agriculture."

Delegate Debrus moved the adoption of the amendment.
Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman,  Ginn  Newton
Alario,  Grier  O'Neill
Armentor,  Hardee  Ouzo
Amzalone,  Hayes  Perez
Assent,  Heine  Perez
Avant,  Hernandez  Planchar
Be,  Jack  Planchar
Bergeron,  Jenkins  Planchar
Blair,  Jureau  Planchar
Bollinger,  Keen  Planchar
Brown,  Kelly  Riecke
Burns,  Kilbourne  Robinson
Champagne,  Klipatrik  Roemer
Chatelain,  Landrum  Sandez
Cheimary,  LeBlent  Shannon
Corne,  LeBreton  Shannon
Conway,  LeBlent  Singleteray
Cowan,  Lynnx  Slay
De Bieaux,  Miller  Smith
Dennis,  Miller  Soniat
Derbes,  Newton  Soniat
Duval,  Newtow  Soniat

Total—53.

NAVS

Delegates—
Fayard  Sandoz
Fontenot  Schmitt
Fulco  Segura
Garrusso  Shannon
Gravel  Silverberg
Guarisco  Singletary
Gudry  Slav
Haynes  Smith
Hernandez  Soniat
Jackson, A.  Stagg
Jackson, J.  Stovall
Juneau  Sutherland
Kean  Tale
Landrum  Taylor
Lanter  Thistlettera
LeBreton  Tobias
LeBlent  Toca
Leonx  Toclok
Miller  Triche
Mire  Vick
Newton  Willis
Roy  Zervigon

Total—65.

ABSENT

Delegates—
Mr. Chairman,  Thierman
Arnette,  Womack
Cannon,  Wall
Lambert,  Woman
Landry, A.,  Rachal

Total—14.

And the amendment was rejected.
Delegate Duval moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, at the end of line 19, delete the period ".
and add the following: 
"of the state."

On motion of Delegate Perez the amendment was adopted.
Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up floor amendments, which were read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, after the word and punctuation "treasurer," insert the words and punctuation "custodian of voting machines;"

Delegate Jenkins moved the adoption of the amendment.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario Grier Nunez
Anzalone Hardee O'Neill
Asseff Hayes O'Neil
Bel Haynes Perez
Blair Jack Rayburn
Burson Jenkins Reeves
Champagne Kelly Riecke
Corne Kilpatrick Robinson
Coven Landrum Roemer
Deshotels Landry, A. Shannon
Drew Landry, E. J. Stinson
Edwards LeHieu Thompson
Fayard Leigh Ullo
Flory Lowe Velazquez
Fowler Martin Weiss
Fulco Miller Weis
Gauthier Mire Winchester
Ginn Munson

Total—54.

NAYS

Delegates—
Abraham Duval Segura
Alexander Elkins Silverberg
Badeaux Fontenot Singleary
Bergeron Giarrusso Slay
Bollinger Gravel Smith
Brien Guisasco Soiset
Brown Guidry Stagg
Burns Jackson, A. Stephenson
Carmouche Jackson, J. Sutherland
Casey Juneau Taylor
Chatelain Lanier Thistlethwaite
Chehardy LeBreton Tobias
Corino Leblanc Toca
Conroy Lennox Toomy
D'Gerolamo McDaniel Triche
De Blieux Naujiock Vich
Dennery Newton Wall
Dennis Roy Willis
Derbes Sandoz Wisham
Dunlap Schmitt Zervigon

Total—60.

ABSENT

Delegates—
Mr. Chairman
Alario
Anzalone
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Chatelain
Corne
D'Gerolamo
Deshotels
Drew
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco
Gauthier
Giarrusso

Total—18.

And the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Delegate Avant, absent at the time of the vote, indicates his intent to have supported the amendment which would have made the custodian of voting machines a constitutionally specified member of the Executive Branch.

Delegate Derbes sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, after the word and punctuation "treasurer," insert the words and punctuation "comptroller;"

Delegate Alario moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 14 yeas and 96 nays the amendment was rejected.

Delegate Derbes moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, after the word and punctuation "treasurer," insert the words and punctuation "commissioner of insurance;"

Delegate O'Neill moved the adoption of the amendment.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Alario
Anzalone
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Chatelain
Corne
D'Gerolamo
Deshotels
Drew
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco
Gauthier
Giarrusso

Total—75.
24th Days Proceedings—August 2, 1973

Delegates—

NAYS

Abraham
Alexander
Armentor
Badeaux
Brien
Burson
Carmouche
Casey
Champagne
Chehardy
Conino
Conroy
Cox
De Blieux
Dennery
Total—45.

Delegates—

ABSENT

Aertker
Arnette
Brien
Carmouche
Casey
Chehardy
Conroy
Cox
De Blieux
Dennery
Total—12.

And the amendment was adopted.

Delegate Alario moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up floor amendments which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 18, after the word and punctuation “treasurer,” insert the words and punctuation “superintendent of education.”

Motion

Delegate Burson moved that action on the amendment be postponed until September 1, 1973.

The Chair ruled the motion out of order.

On motion of Delegate Burson, his motion to postpone action on the amendment, was withdrawn.

Delegate Corne moved the adoption of the amendment.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Alario
Anzalone
Asseff
Avant
Badeaux
Bel
Begheron
Blair
Bollinger
Burns
Burson
Champagne
Corin
Cox
Davis
Drew
Edwards
Elkins
Fayard
Fiery
Fontenot
Fowler
Fulco
Gauthier
Ginn
Gravel
Grier
Guarisco
Hardee
Hayes
Heine
Henry
Hernandez
Hernandez
Hernandez
Miller
Mire
Monson
Newton
Nunez
O’Neill
Perez
Perichard
Rhachal
Rayburn
Reeves
Riecke
Robinson
Roy
Sandoz
Shannon
Silverberg
Smith
Stagg
Stovall
Tobias
Toca
Triche
Vick
Vergon
Womack

ABSENT

Delegates—

Aertker
Arnette
Brown
Cannon
Giarrusso
Heine
Hernandez
Total—28.

And the amendment was adopted.

Delegate Corne moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up floor amendments, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 18, after the word and punctuation “treasurer,” insert the words and punctuation “register of state lands.”

Delegate LeBlieu moved the adoption of the amendment.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Alario
Anzalone
Asseff
Avant
Badeaux
Bel
Begheron
Blair
Bollinger
Burns
Burson
Champagne
Corin
Cox
Davis
Drew
Edwards
Elkins
Fayard
Fiery
Fontenot
Fowler
Fulco
Gauthier
Ginn
Gravel
Grier
Guarisco
Hardee
Hayes
Heine
Henry
Hernandez
Hernandez
Hernandez
Miller
Mire
Monson
Newton
Nunez
O’Neill
Perez

242
24th Days Proceedings—August 2, 1973

<table>
<thead>
<tr>
<th>Planchard</th>
<th>Robinson</th>
<th>Ullo</th>
<th>Winchester</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rayburn</td>
<td>Slay</td>
<td></td>
<td></td>
</tr>
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<td>Reeves</td>
<td>Stinson</td>
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<td>Wisham</td>
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<td>Riecke</td>
<td>Thompson</td>
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<td>Total—41.</td>
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</tbody>
</table>

**Delegates—**

<table>
<thead>
<tr>
<th>Abraham</th>
<th>Jacob</th>
<th>Jackson, A.</th>
<th>Sutherland</th>
<th>Taylor</th>
</tr>
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<tbody>
<tr>
<td>Armentor</td>
<td>Fontenot</td>
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<td>Tosca</td>
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<td>Badeaux</td>
<td>Fulco</td>
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<td>Velazeq</td>
</tr>
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<td>LeBreton</td>
<td>Toocy</td>
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<td>Brown</td>
<td>Grier</td>
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<td>Vich</td>
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<td>Burson</td>
<td>Guarsico</td>
<td>McDaniel</td>
<td>Toca</td>
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<td>Carmouche</td>
<td>Guidry</td>
<td>Newton</td>
<td>Toca</td>
<td>Vich</td>
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<td>Casey</td>
<td>Hawkins</td>
<td>Newtton</td>
<td>Toca</td>
<td>Vich</td>
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<tr>
<td>Champagne</td>
<td>Jack</td>
<td>Roy</td>
<td>Toca</td>
<td>Vich</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Jackson, J.</td>
<td>Roemer</td>
<td>Toca</td>
<td>Vich</td>
</tr>
<tr>
<td>Conino</td>
<td>Juneau</td>
<td>Roy</td>
<td>Toca</td>
<td>Vich</td>
</tr>
<tr>
<td>Conroy</td>
<td>Landry, A.</td>
<td>Sandoz</td>
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<td>Vich</td>
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<td>Sandoz</td>
<td>Toca</td>
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<tr>
<td>Cowen</td>
<td>Leithman</td>
<td>Sandoz</td>
<td>Toca</td>
<td>Vich</td>
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<tr>
<td>d'Gerolamo</td>
<td>Lennox</td>
<td>Sandoz</td>
<td>Toca</td>
<td>Vich</td>
</tr>
<tr>
<td>De Blieux</td>
<td>LeBreton</td>
<td>Sandoz</td>
<td>Toca</td>
<td>Vich</td>
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<tr>
<td>Denney</td>
<td>McDaniel</td>
<td>Sandoz</td>
<td>Toca</td>
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<td>Dennis</td>
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<td>Duval</td>
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<td>Sandoz</td>
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<td>Total—72.</td>
<td></td>
<td></td>
<td>Toca</td>
<td>Vich</td>
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</table>

**ABSENT**

<table>
<thead>
<tr>
<th>Mr. Chairman</th>
<th>Hernandez</th>
<th>Ourso</th>
<th>Perkins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Keen</td>
<td></td>
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<td>Alexander</td>
<td>Lambert</td>
<td></td>
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<td>Arnette</td>
<td>Landrum</td>
<td></td>
<td>Tatter</td>
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<td>Burns</td>
<td>Leigh</td>
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</tr>
<tr>
<td>Cannon</td>
<td>Martin</td>
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<tr>
<td>Deshotels</td>
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<tr>
<td>Total—19.</td>
<td></td>
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</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Bollinger moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Schmitt to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 18, after the word and punctuation “treasurer,” insert the words and punctuation “commissioner of the office of consumer affairs.”

Delegate Schmitt moved to adopt the amendment.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

The roll was called with the following result:

**ROLL CALL**

**YEAS**

<table>
<thead>
<tr>
<th>Alario</th>
<th>Corne</th>
<th>Flory</th>
<th>Gauthier</th>
<th>Hardee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brown</td>
<td>D'Gerolamo</td>
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<td>Gauthier</td>
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<td>Chatelain</td>
<td>De Blieux</td>
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<td>Gravel</td>
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<td>Cenino</td>
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<td>Vomack</td>
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</tbody>
</table>

**NAYS**

<table>
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<tr>
<th>Abraham</th>
<th>Gin</th>
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<tbody>
<tr>
<td>Anzalone</td>
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<td>Armentor</td>
<td>Guiry</td>
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<td>Asseff</td>
<td>Jackson, A.</td>
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<td>Avant</td>
<td>Juneau</td>
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<td>Kilpatrick</td>
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<tr>
<td>Burson</td>
<td>Landry, A.</td>
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<td>Carmouche</td>
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<td>Casey</td>
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<td>Lowe</td>
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<tr>
<td>Denney</td>
<td>McDaniel</td>
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<td>Derbes</td>
<td>Martin</td>
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<td>Dunlap</td>
<td>Miller</td>
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<td>Duval</td>
<td>Mire</td>
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<td>Edwards</td>
<td>Nunez</td>
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<td>Elkins</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Ourso</td>
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<tr>
<td>Fulco</td>
<td>Perez</td>
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<td>Giarrusso</td>
<td>Zervigon</td>
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<tr>
<td>Total—79.</td>
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**ABSENT**

<table>
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<tr>
<th>Mr. Chairman</th>
<th>Deshotels</th>
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<tr>
<td>Aertker</td>
<td>Fowler</td>
</tr>
<tr>
<td>Alexander</td>
<td>Grier</td>
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<td>Bergeron</td>
<td>Hernandez</td>
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<tr>
<td>Bollinger</td>
<td>Kelly</td>
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<td>Burns</td>
<td>Lambert</td>
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<tr>
<td>Cannon</td>
<td>Landrum</td>
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<tr>
<td>Dennis</td>
<td></td>
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<tr>
<td>Total—22.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kelly sent up floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kelly to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 18, after the word and punctuation “treasurer,” insert the words and punctuation “commissioner of elections.”

Delegate Kelly moved to adopt the amendment.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

The roll was called with the following result:

**ROLL CALL**

**YEAS**

<table>
<thead>
<tr>
<th>Alario</th>
<th>Asseff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnette</td>
<td>Avant</td>
</tr>
<tr>
<td>Badeaux</td>
<td>BERGE</td>
</tr>
<tr>
<td>Blair</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
24th Days Proceedings—August 2, 1973

Bollinger
Brien
Brown
Buron
Carmouche
Chalelein
Conino
Corne
Cowie
D'Geralamo
Deshotels
Drew
Edwards
Elkins
Fayard
Fiery
Fontenot
Fowler
Fulco
Gauthier
Giarrusso
Ginn
Gravel
Grier
Hardee
Total—82.

Delegates—
Abraham
Armentor
Arnette
Chehardy
Conroy
De Blieux
Dennery
Derbes
Dunlap
Duval
Guarisco
Total—33.

NAYS

Delegates—
Abraham
Armentor
Arnette
Chehardy
Conroy
De Blieux
Dennery
Derbes
Dunlap
Duval
Guarisco
Total—82.

ROLL CALL

ROLL CALL

YEAS

Delegates—
Abraham
Armentor
Arnette
Badeaux
Brien
Casey
De Blieux
Dennis
Total—21.

NAYS

Delegates—
Alario
Anzalone
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brown
Burson
Carmouche
Chalelein
Chehardy
Conino
Conroy
Corne
Cowie
D'Geralamo
Denney
Deshotels
Drew
Dunlap
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco
Gauthier
Total—91.

ABSENT

Delegates—
Mr. Chairman
Aertker
Alexander
Burns
Cannon
Casey
Champagne
Total—17.

ABSENT

Delegates—
Aertker
Alexander
Burns
Cannon
Casey
Champagne
Total—17.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 18, after the period “.”, add the following:

"The legislature shall have the authority to consolidate any of the above offices, except that of governor, lieutenant governor, secretary of state, attorney general, and treasurer."

Delegate Schmitt moved the adoption of the amendment.

A record vote was asked for and ordered by the Convention.

The roll was called with the following result:

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt and Abraham to Committee Proposal No. 4 by Delegate Stagg. et al.

And the amendment was adopted.

Delegate Kelly moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid of the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg. et al.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg. et al.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg. et al.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg. et al.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg. et al.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg. et al.

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg. et al.
24th Days Proceedings—August 2, 1973

### ROLL CALL

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
<tr>
<td>Anzalone</td>
<td>Jenkins</td>
<td>Perez</td>
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<tr>
<td>Casey</td>
<td>Landry, E. J.</td>
<td>Gauthier</td>
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<td>Champgne</td>
<td>Lennox</td>
<td>Ginn</td>
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<td>De Blieux</td>
<td>Miller</td>
<td>Gravel</td>
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<td>Dunlap</td>
<td>Mire</td>
<td>Grier</td>
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<td>Fayard</td>
<td>Newton</td>
<td>Guarisco</td>
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<td>Fowler</td>
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<td>Hayes</td>
<td>Roy</td>
<td>Heine</td>
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<tr>
<td>Jackson, J.</td>
<td>Schmitt</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Total—28.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### AMENDMENT No. 1—

By a vote of 13 yeas and 93 nays the amendment was rejected.

Delegate Arnette moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

#### FLOOR AMENDMENT

Amendment proposed by Delegates Lanier, Duval and Silverberg to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 25, after the partial word “ments” change the period “,” to a comma “,” and add the following: “as provided by law.”

Delegate Lanier moved the adoption of the amendment.

Delegate Stagg objected.

By a vote of 31 yeas and 69 nays the amendment was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up floor amendments, which were read as follows:

### FLOOR AMENDMENT

Amendment proposed by Delegates Anzalone and Asseff to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, at the beginning of line 23, delete the words “offices of governor and lieutenant governor” and insert in lieu thereof the words “statewide elective offices”

Delegate Anzalone moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 31 yeas and 65 nays the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

### Chairman Henry in the Chair

Delegate Weiss sent up floor amendments, which were read as follows:

### FLOOR AMENDMENT

Amendment proposed by Delegates Weiss and Flory to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 22, after the words “lieutenant governor,” and before the word “shall” insert the following: “and boards, commissions, and agencies which operate solely on self-generating funds.”

Delegate Weiss moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 21 yeas and 82 nays the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Deshotels sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Kelly, Deshotels, and Anzalone to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**—
On page 1, line 17, at the end of the line, after the word “state” delete the remainder of the line

**AMENDMENT No. 2**—
On page 1, line 18, at the beginning of the line, delete the word “eral”

Delegate Deshotels moved the adoption of the amendments.
Delegate Gravel objected.

By a vote of 50 yeas and 49 nays the amendment was adopted.

Delegate Kelly moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 4, Section 1, was read, as amended.

Delegate Stagg moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Mr. Chairman
Abraham
Alarie
Anzalone
Asselt
Avant
Badeaux
Bergeron
Blair
Bollinger
Brien
Brown
Burson
Casey
Champagne
Chatelain
Chehary
Conino
Conroy
Corne
Coven
D'Gerolamo
Dennery
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Fayard
Flory
Fontenot

Total—95.

Delegates—
Fowler
Fulco
Gauthier
Giarrusso
Ginn
Grier
Guidry
Hardee
Hayes
Haynes
Heine
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelley
Kilbourne
Landry, E. J.
Lanier
LeBlanc
LeBreton
LeBlanc
Lemoine
Martin
Miller
Mire
Monson
Newton
Nunez
O'Neill

Perez
Planchard
Rayburn
Reeves
Robinson
Roemer
Roy
Sandor
Schmitt
Shannon
Silverberg
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stovall
Tate
Taylor
Thistlethwaite
Thompson
Toca
Tommy
Triche
Ullo
Vick
Warren
Weiss
Willis
Wisham

**NAYS**

Delegates—
De Blieux

Total—3.

**DELEGATE RESOLUTION No. 26—**
Introduced by Delegates Juneau, Fayard, T. Casey and Kelly:

**A RESOLUTION**

Relative to amending the Standing Rules of the Constitutional Convention to provide for regulation of lobbying before the Constitutional Convention.

BE IT RESOLVED that Rule No. 90 is adopted to read as follows:

Rule No. 90. Lobbying
A. Definitions. When used in this Rule:
1. The term “person” includes an individual, partnership, committee, association, corporation, and any other organization or group of persons.
4. The term “proposition” means proposals, resolutions, amendments, nominations, and other matters pending or proposed in the convention and includes any other matter which possibly may become the subject of action by the convention.

B. Persons to Whom Applicable. The provisions of this Rule shall apply to any person, who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:
1. The passage or defeat of any proposition by the convention.
2. To influence, directly or indirectly, the passage or defeat of any proposition by the convention.
C. Registration of Lobbyists with the Clerk; Compilation of Information.

Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any proposition by the convention
shall, before doing anything in furtherance of such object, register with the clerk and shall give to him in writing his name and business address, the name and address of the person by whom he is employed and in whose interest he appears or works, the duration of such employment, and by whom he is paid or is to be paid. This resume shall be published in the clerk in a loose-leaf-type book to be maintained in the office of the clerk for the use of each delegate of the convention. This book shall be kept current during the convention as each person registers as required by the provisions of this Rule.

DELEGATE RESOLUTION No. 30—
Introduced by Delegate Burson:

A RESOLUTION
To amend Rule No. 46 of the Standing Rules of the Constitutional Convention to require that amendments to proposals be germane.

BE IT RESOLVED that Rule No. 46 of the Standing Rules of the Constitutional Convention is hereby amended and readopted to read as follows:

Rule No. 46. Amendments. Amendments shall be submitted in writing, and a copy of every amendment shall be distributed to each delegate before a vote occurs thereon. Every amendment proposed must be germane to the subject of the section or paragraph of the proposal to be amended, and/or to the subject of the proposal itself, and an amendment is not in order which is not germane to the question to be amended.

Respectfully submitted,

MOISE W. DENNERY
Secretary

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Mr. Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana
Baton Rouge, La.
August 2, 1973

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Committee Resolutions having been finally adopted by the Convention have been properly enrolled in final form:

COMMITTEE RESOLUTION No. 8—
Introduced by Delegate Stovall, Chairman, on behalf of the Committee on Rules, Credentials and Ethics, and Delegates Arnette, Bell, Bollinger, Corne, Elkins, Flory, Haynes, McDaniel, Mire, Sandoz, Shannon, Singletary, Stagg, Velazquez, and Warren:

A RESOLUTION
Amending Rule No. 40 of the Standing Rules of the Constitutional Convention to clarify the requirement that each committee proposal shall bear the signature of a majority of the members of the committee.

BE IT RESOLVED that Rule No. 40 of the Standing Rules of the Constitutional Convention is hereby amended and readopted to read as follows:

Rule No. 40. Introduction of Committee Proposals. Committee proposals prepared and approved by the several committees of the convention prior to July 5, 1973, shall constitute the first proposals to be introduced in the Convention and shall be introduced by the chairman of each committee or his designee and shall bear the names of those delegates voting for each such proposal, which in each case shall be at least a majority of the members of the committee. These proposals as far as completed shall be mailed to all Convention delegates on or before June 22, 1973.

Respectfully submitted,

MOISE W. DENNERY
Secretary

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana

August 1, 1973, Baton Rouge, La.

To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 3—
Introduced by Delegate Blair, Chairman, on behalf of the
Committee on Legislative Powers and Functions, and Delegates Carey, Fayard, Fulco, Glenn, Juneau, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL

Making provisions for the legislative branch of government, unprecedented removal and recall of officials, and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE III. LEGISLATIVE DEPARTMENT

Section 1. Legislative Power of State; Voting; Continuous Body

Section 1. (A) The legislative power of the state is vested in a legislature, consisting of a Senate composed of one senator elected from each senatorial district and a House of Representatives composed of one representative elected from each representative district.

(B) The legislature shall be a continuous body during the term for which its members are elected, provided that bills and resolutions not finally passed by both houses in any session of the legislature shall be automatically withdrawn from its files.

Section 2. Sessions; Annual, Extraordinary

Section 2. (A) The legislature shall meet annually in regular session in the state capitol during a period of eighty-five calendar days for not more than sixty legislative days. A legislative day is a calendar day on which either house is in session. No such session shall continue beyond the eighty-fifth calendar day after convening. The legislature shall convene at twelve o'clock noon on the third Monday in April of each year. No new matter intended to have the effect of law shall be introduced or received by either house of the legislature after midnight of the fifteenth calendar day, except by a favorable vote of the members of either house. Any regular annual session held in an odd-numbered year, no measures levying new taxes or increasing existing taxes shall be introduced or enacted.

(B) The legislature may be convened at other times by the governor or, shall be convened upon the written petition of a majority of the elected members of either house, by the presiding officers of both houses. Such petition shall be in such form as shall be provided by law. The governor or the presiding officers of both houses, as the case may be, shall issue a proclamation at least five days prior to convening the legislature into extraordinary session. The proclamation shall state the object or objects for convening the legislature into extraordinary session, the date on which the legislature is to be convened, and the number of days for which the legislature is convened. The power to legislate, under the penalty of nullity, shall be limited to the objects specifically enumerated in the proclamation. Bills shall be introduced and enacted in extraordinary session, and the session shall be limited to the number of days named therein, which shall never exceed thirty calendar days. The governor may convene the legislature in extraordinary session without prior notice or proclamation on occasions of public emergency caused by epidemic, attacks by the enemy, or public catastrophe.

Section 3. Size

Section 3. The number of members of the legislature shall be provided by law, but the number of Senate members shall not exceed one hundred.

Section 4. Qualifications; Residence Requirements; Term; Vacancies; Salary

Section 4. (A) Every person, who is an elector and has reached the age of eighteen years at the time of qualifications for the office, shall be eligible for membership in the legislature.

(B) No person shall be eligible to membership in the legislature unless at the time of qualification for the office he shall have been a resident of the state for two years and actually domiciled within the legislative district from which he seeks election for one year immediately preceding qualification for office. However, at the next regular election for members of the legislature following the reapportionment of the legislature, a person may qualify for election to either house of the legislature from any district created in whole or in part from the district existing prior to reapportionment in which such person was domiciled, if he was domiciled in that prior district for at least one year immediately preceding his election and if he was a resident of that district at least two years at the time he was sworn in office. The seat of any member who changes his domicile from the legislative district he represents or, if elected after reapportionment, whose domicile is not within the district he represents at the time he is sworn into office, shall be vacated thereby, any declaration of a retention of domicile to the contrary notwithstanding.

(C) The members of the legislature shall be elected for terms of four years each.

(D) When a vacancy occurs in either house of the legislature, the remainder of the term shall be filled by election, as provided by law.

Section 5. Legislative Apportionment; Judicial Review; Apportionment by Supreme Court

Section 5. (A) Not later than the end of the first year following the year in which the population of this state is reported to the president of the United States for each decennial federal census, the legislature shall apportion the representation in each house as equally as practicable on the basis of the total state population as shown by the census.

(B) If the legislature fails to apportion itself as required in Paragraph (A) of this Section, the supreme court, upon petition by any election or apportionment of each house as provided in Paragraph (A) of this Section.

(C) The procedure for review and petition shall be provided by law.

Section 6. Judging Qualifications and Elections, Procedural Rules; Discipline; Officers

Section 6. (A) Each house shall be the judge of the qualifications and elections of its own members, determine the rules of its procedure, not inconsistent with the provisions of this constitution, and may punish its members for disorderly conduct or contempt and, with the concurrence of two-thirds of its members, remove a member. Expulsion shall create a vacancy in the office.

(B) Each house shall have power to compel the attendance and testimony of witnesses and the production of books and papers before such house as a whole, before any committee thereof, or before joint committees of the houses and shall have the power to punish for contempt those in willful disobedience of its orders.

(C) Each house shall choose its own officers, including a permanent presiding officer, selected from its membership, who shall be designated as Speaker of the House of the Senate and Speaker of the House of Representatives. The clerical officers of the two houses shall be the clerk of the House of Representatives and the secretary of the Senate, each of whom shall have the power to administer oaths.

Section 7. Privileges and Immunities

Section 7. The members of the legislature shall in all cases, except felony, be privileged from arrest during their attendance at the sessions and committee meetings of their respective houses and in going to and returning from the same. No member shall be questioned in any other place for any speech or debate in either house.

Section 8. Conflict of Interest

Section 8. Legislative office is a public trust and every effort to realize personal gain through official conduct is a violation of that trust. The legislature shall enact a code of ethics prohibiting conflict between public duty and private interests of members of the legislature, including his spouse and minor children.

Section 9. Quorum; Compulsory Attendance; Journal; Adjournment; Consent of Other House

Section 9. (A) Not less than a majority of the elected members of each house of the legislature shall be present to transact business, but a smaller number may adjourn from day-to-day and shall have power to compel the attendance of absent members.

(B) Each house shall keep a journal of its proceedings, and cause the same to be published immediately after the close of each session. The journal shall accurately reflect the proceedings of that house, including all record votes. A record vote is a vote by yeas and nays, with said yeas and nays being published in the journal.

(C) Whenever the legislature is in session neither house
shall adjourn for more than three days or to any other place than that in which it is then meeting, without the consent of the other house.

Section 10. There shall be a legislative auditor who shall be elected by the consent of a majority of the elected members of each house and may be removed by the consent of two-thirds of the elected members of each house. The legislative auditor shall be resident and subject to the legislative and shall act as a fiscal advisor to the legislature. He shall perform such duties and functions relating to the auditing of the fiscal records of state and local governments as are provided by law.

Section 11. Compensation of Elected Public Officers; Reduction

Section 11. The compensation of elected public officers shall not be reduced during the term for which they are elected.

Section 12. Local or Special Laws; Notice of Intention

Section 12. No local or special law shall be enacted by the legislature unless notice of the intention to introduce such law has been published, without cost to the state, in the official journal of the locality where the matter or things to be affected are situated on two separate days, the last day of which shall be ten days prior to the introduction of such a bill into the legislature. The notice shall state the substance of the contemplated law. Every such bill shall contain a recital that the notice has been given.

Section 13. Suits Against the State

Section 13. (A) Neither the state nor any of its agencies or political subdivisions shall be immune from suit and liability in contract or for injury to person or property.

(B) In other cases the legislature may authorize suit to be filed against the state, its agencies and political subdivisions, and any concurrent resolution enacted for the purpose shall waive immunity from suit and liability.

(C) The legislature shall provide for a method of procedure and the effects of the judgments which may be rendered in all cases against the state, its agencies and political subdivisions.

(D) Public property and funds shall not be subject to seizure, and no judgment against the state, its agencies or political subdivision shall be exigible, payable, or paid except out of funds appropriated for payment by the state, its agencies or political subdivision against whom judgment is rendered.

Section 14. Continuity of Government

Section 14. The legislature shall provide for the orderly and temporary continuity of state government, in periods of emergency, until such time as the normal processes of government can be reestablished in accordance with the constitution and laws of the state. Except as otherwise provided in this constitution, it shall also provide for the prompt and temporary succession to the powers and duties of public offices, the incumbents of which may become unavailable to execute the functions of their offices.

Section 15. Style of Laws; Enacting Clause

Section 15. The style of the laws enacted by the legislature of this state shall be: "Be it enacted by the Legislature of Louisiana." It shall not be necessary to repeat the enacting clause after the first section of an act.

Section 16. Passage of Bills

Section 16. (A) The legislature shall enact no law except by a bill introduced during a session of the legislature, and shall provide for amendment to the constitution except by a joint resolution introduced during a session of the legislature, which shall be processed as a bill. Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be rejected unless it be agreed to by both houses and shall contain in a brief title indicative of its object. No action on any matter intended to have the effect of law shall be taken except in open, public meeting.

(B) All bills enacting, amending, or reviving laws shall set forth completely the provisions of the laws enacted, amended, or revived, and no system or code of laws shall be adopted by general reference to such system or code of laws.

(C) No bill shall be amended in its passage through either house so as to make a change not germane to the bill as originally introduced.

(D) Every bill shall be read at least by title on three separate days in each house. No bill shall be considered for final passage unless and until a public hearing has been held on it in both houses and it has been reported on by a committee.

(E) No bill which has been rejected by either house may again be proposed or considered in the same house during the same session without the consent of a majority of the members elected to the house which rejected it.

(F) The legislature shall be in session, and shall meet in executive session at a place to be designated by the governor, on the twentieth day of January, and shall continue in session and meet in executive session for the remainder of its term of office.

(G) No bill shall become law without the concurrence of at least a majority of the members elected to each house. Final passage of a bill shall be by record vote. At the request of one-fifth of the members elected to either house, a record vote shall be taken on any other measure or for any other purpose.

Section 17. Appropriations

Section 17. (A) No money shall be withdrawn from the state treasury except through specific appropriation, and, except as otherwise provided in this constitution, no appropriation of money shall be made under the heading of contingencies. Nor shall any appropriation be made for longer than one year.

(B) All bills for raising revenue or appropriating money shall originate in the House of Representatives, but the Senate may propose or concur in amendments, as in other bills.

(C) The general appropriation bill shall be itemized and shall contain only appropriations for the ordinary operating expenses of government, public charities, pensions, and the public debt and interest.

(D) All other bills for appropriating money shall be for a specific purpose and for a specific amount.

(E) Any bill appropriating money in an extraordinary session of the legislature convened after final adjournment of the regular session held in the last year of the term of office of a governor, except for expenses of the legislature, shall require the approval of three-fourths of the elected members of each house.

Section 18. Signing of Bills; Delivery to Governor

Section 18. (A) A bill that has been passed by both houses of the legislature shall be signed by the presiding officers of both houses and shall be submitted to the governor for his signature or other action. Delivery to the governor shall be within three days after passage.

(B) No joint, concurrent, or other resolution shall require the signature or other action of the governor.

Section 19. Signature of Governor on Bills; Veto

Section 19. (A) A bill, except a joint resolution, shall become law if the governor does not sign or veto the bill within ten days after its delivery to him if the legislature is in session or within twenty days if the legislature is adjourned.

(B) If the governor does not approve of a bill, he may veto it and shall return it to the legislature, with his veto message, within twelve days after its delivery to him if the legislature is in session. If the legislature has adjourned before the governor receives or returns one or more bills, he shall return them, with his veto message, to the legislature as provided by law. Any bill thus returned by the governor and subsequently approved by two-thirds of the elected members of each house shall become law.

(C) The legislature shall meet in veto session at the seat of government at twelve o'clock noon on the fourth day following the sine die adjournment of the most recent session of the legislature for the purpose of considering all measures vetoed by the governor, except that if such day falls on a Sunday the session shall convene at noon on the succeeding Monday. No veto session shall exceed five calendar days in length, and any veto session may be adjourned sine die prior to the end of the fifth day upon the vote of two-thirds of the elected members of each house.

No veto session shall be held if a simple majority of the elected members of either or both houses indicate in writing
that a veto session is not necessary. Such written notice must be received by the presiding officer of the respective houses at least five days prior to the day on which the veto session is to convene.

Section 21. Effective Date of Laws
Section 21. All laws shall be published in the official journal of the state as provided by law and thereafter shall take effect on the sixtieth day after final adjournment of the session in which they were enacted. However, any bill may specify an earlier or later effective date.

Section 22. Suspension of Laws
Section 22. No power of suspending laws of this state shall be exercised except by the legislature and then only by the same vote and, except for gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of the law proposed to be suspended. After the effective date of this constitution every resolution suspending a law shall fix the period of the suspension, which shall not extend beyond the effective date of the laws enacted at the next regular session of the legislature.

Section 23. Corporations; Perpetual or Indefinite Duration; Dissolution; Perpetual Franchises or Privileges
Section 23. Neither the state nor any political subdivision shall grant a perpetual franchise or privilege to any person or corporation; however, the legislature may authorize the organization of corporations for perpetual or indefinite duration. Every corporation shall be subject to dissolution or forfeiture of its charter or franchise, as provided by general law.

Section 24. Impeachment
Section 24. (A) Any state or district official, whether elected or appointed, shall be liable to impeachment for commission or conviction of felonies, malfeasance, or gross misconduct during his term of office.

(B) All impeachments shall be by the House of Representatives, and shall be tried by the Senate, whose members shall be upon oath or affirmation for that purpose, and a vote of two-thirds of the senators elected shall be necessary to convict. The Senate may sit for said purpose whether the House be in session or not, and may adjourn as it thinks proper. Conviction upon impeachment shall result in immediate removal from office. Nothing herein shall prevent any other action, prosecution, or punishment authorized by statute.

Section 25. Removal by Suit; Officers Subject
Section 25. For the causes enumerated in Paragraph (A) of Section 24 of this Article, the legislature shall by general law provide for the removal by suit of any state, district, parochial, ward, or municipal officer except the governor, lieutenant governor, and judges of the courts of record.

Section 26. Recall
Section 26. The legislature shall provide by general law for the recall by election of any state, district, parochial, ward, or municipal officer except judges of the courts of record. The sole issue at any recall election shall be whether such officer shall be recalled.

Section 27. Taking Office
Section 27. (A) Members of the legislature shall take office thirty days prior to the date for the convening of the first session of each term for which members are elected every four years.

(B) A person elected to fill an unexpired legislative term shall take office thirty days after the secretary of state promulgates the election returns.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

Under the Rules, the above Proposal was referred to the Committee on Style and Drafting.

Committee Notice
Delegate Dennis, chairman of the Committee on the Judiciary, sent up the following notice:

The Committee on the Judiciary will meet on Friday, August 3, 1973 after adjournment in Convention Hall and will consider the following agenda:

AGENDA

Continue consideration of Committee Proposal No. 6
Respectfully submitted,
JAMES L. DENNIS,
Chairman of the Committee on the Judiciary.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Committee Notice
Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, August 9, 1973 at 9:00 o'clock A.M. in Committee Room No. 5 and will consider the following agenda:

AGENDA

Continuation of hearings on education.
Continuation of consideration of proposals referred to the committee to wit:
Delegate Proposal 8
Delegate Proposal 9
Delegate Proposal 10
Committee Proposal 7

Respectfully submitted,
ROBERT AERTKER,
Chairman of the Committee on Education and Welfare.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Committee Notice
Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Wednesday, August 8, 1973 at 7:00 o'clock P.M. in the Senate Lounge and will consider the following agenda:

AGENDA

To consider Committee Proposal No. 3
Respectfully submitted,
ALBERT TATE, JR.,
Chairman of the Committee on Style and Drafting.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Adjournment
Delegate Shannon moved that the Convention do now adjourn until Friday, August 3, 1973 at 9:30 o'clock A.M.
Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, August 3, 1973 at 9:30 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:30 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman — Fulco
Abraham — Gauthier
Aeriker — Giarrusso
Alario — Glenn
Alexander — Gravel
Anzalone — Grier
Arnette — Guarisco
Assieff — Guidry
Avant — Hardee
Badeaux — Hayes
Bel — Haynes
Bergeron — Heine
Blair — Hernandez
Bollinger — Jack
Brien — Jackson, A.
Brown — Jackson, J.
Burns — Jenkins
Burson — Juneau
Carmouche — Kean
Casey — Kelly
Champagne — Kilbourne
Chatelain — Kilpatrick
Chehardy — Landrum
Conino — Landry, E. J.
Conroy — Lanier
Corne — LeBlanc
Coven — LeBreton
D’Gerolamo — Leithman
De Bleuex — Lowe
Dennery — McDaniel
Dennis — Martin
Derbes — Maubert
Deshotels — Miller
Drew — Mire
Dunlap — Munson
Duval — Newton
Edwards — Nunez
Flory — O’Neill
Fontenot — Orso
Fowler — Perez
Total—122.

ABSENT

Delegates—
Armentor — Landry, A.
Cannon — Leigh
Eikins — Perkins
Lambert — Tapper
Total—10.

The Chairman announced that there were 122 members present and a quorum.

Prayer

Prayer was offered by Delegate Abraham.

Pledge of Allegiance

Delegate Hardee led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Riecke, the reading of the Journal was dispensed with.

On motion of Delegate Riecke, the Journal of yesterday was adopted.

Morning Hour

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 23—
Introduced by Delegate Abraham:
A PROPOSAL
Relative to appropriations by the legislature for the state budget.

Read.

Under the rules the above proposal was referred to the Committee on Executive Department.

Reports of Committees Lying Over

Delegate and Committee

Resolutions and Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

DELEGATE RESOLUTION No. 27—
Introduced by Delegate Brown:
A RESOLUTION
To extend greetings and commendations to the surviving delegates of the Louisiana Constitutional Convention of 1921 and to request their assistance and advice in the work of this convention.

Read.

Reported favorably by the Committee on Rules, Credentials and Ethics.

Ordered engrossed and passed to its third reading.

DELEGATE RESOLUTION No. 28—
Introduced by Delegates Assieff, Lennox, Miller, Planchard, Wisham and Anzalone:
A RESOLUTION
Relative to reports of substantive committees.

Read.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.
On motion of Delegate Stovall the Resolution was withdrawn from the files of the Convention.

DELEGATE RESOLUTION No. 33—
Introduced by Delegate Leithman: A RESOLUTION
To provide for the numbering sequence in Rule No. 66 of the Rules of Procedure.

Read.

Reported with the following amendments by the Committee on Rules, Credentials and Ethics.

COMMITTEE AMENDMENTS
Amendments proposed by Committee on Rules, Credentials, and Ethics to Delegate Resolution No. 33 by Delegate Leithman.

Amend printed Resolution as follows:

AMENDMENT No. 1—
On page 1, line 14, change the numeral and letter “2A.” to the numeral “3.”

AMENDMENT No. 2—
On page 1, line 15, change the numeral “3.” to the numeral “4.”

AMENDMENT No. 3—
On page 1, line 16, change the numeral “4.” to the numeral “5.”

AMENDMENT No. 4—
On page 1, line 17, change the numeral “5.” to the numeral “6.”

AMENDMENT No. 5—
On page 1, line 18, change the numeral “6.” to the numeral “7.”

AMENDMENT No. 6—
On page 1, line 19, change the numeral “7.” to the numeral “8.”

AMENDMENT No. 7—
On page 1, line 20, change the numeral “8.” to the numeral “9.”

AMENDMENT No. 8—
On page 1, line 21, change the numeral “9.” to the numeral “10.”

AMENDMENT No. 9—
On page 1, line 22, change the numeral “10.” to the numeral “11.”

AMENDMENT No. 10—
On page 1, line 23, change the numeral “11.” to the numeral “12.”

On motion of Delegate Leithman the amendments were adopted.

Ordered engrossed and passed to its third reading.

DELEGATE RESOLUTION No. 34—
Introduced by Delegate Asseff:
A RESOLUTION
To amend Rule No. 76 relative to the previous question.

Read.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Stovall the Resolution was withdrawn from the files of the Convention.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Charman, on behalf of the Committee on Executive Department:
A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Section 2. Qualifications

Section 2. (A) To be eligible for any statewide elective office a person must have attained the age of twenty-five years by the date of his election and be a citizen of the United States and of this state for at least five years immediately preceding the date of his election. He shall hold no other public office, except by virtue of his office, during his tenure in office.

(B) The attorney general shall have been admitted to the practice of law in this state for at least five years immediately preceding his election.

Read.

Delegate D’Gerolamo sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegates D’Gerolamo, Taylor, Tobias, Chehardy and Alario to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 27 through 30 in their entirety and insert in lieu thereof the following:
“Section 2. (A) To be eligible for any statewide elective office a person must be an elector who has reached the age of eighteen years at the time of qualification for office and must be a citizen of the United States and of this state for five years.

AMENDMENT No. 2—
On page 1, at the beginning of line 31, delete the following words:
“preceding the date of his election.”

Delegate Tobias moved the adoption of the amendments. Delegate Abraham objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Bel
Bergeron
Brown
Carmouche
Champagne
Chehardy
D’Gerolamo
Dennis
Total—30.

NAYS

Delegates—
Abraham
Anzalone

Derbes
Fontenot
Hayes
Haynes
Jackson, A.
Jackson, J.
Jenkins
Landrum
Landry, E. J.
O’Neill

Rachal
Robinson
Singletary
Solarin
Taylor
Tobias
Toca
Velazquez
Wisham
Zervigon

Arnette
Asseff

Badeaux
Blair
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Bollinger
Brian
Burns
Burson
Casey
Chatelain
Conino
Conroy
Cowen
De Blieux
Denney
Drew
Dulap
Duval
Fayard
Flory
Fowler
Fulco
Gauthier
Giarrusso
Glenn
Gravel

Delegates—
Mr. Chairman
Aertker
Armament
Avant
Cannon
Corne
Deshotels
Edwards
Elkins
Kean
Kelly

Total—71.

ABSENT

Delegates—
Lambert
Landry, A.
LeBreton
Leigh
Maubertet
Newton
Oursi
Perkins
Roemer
Schmitt
Segura
Tapper
Tate
Thompson
Vesich
Vick
Wall
Warren
Willis
Womack

Total—31.

And the amendments were rejected.

Delegate Abraham moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Abraham to Committee Proposal No. 4 by Delegate Stagg et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 29, immediately after the word "election" and before the word "and" delete the word "election" and insert in lieu thereof the words "qualification as a candidate for office".

AMENDMENT No. 2—
On page 1, line 31, immediately after the words "his" and before the period "." delete the word "election" and insert in lieu thereof the words "qualification as a candidate for office".

Delegate Abraham moved the adoption of the amendments.

Delegate Soniat objected.

By a vote of 86 ayes and 3 nays the amendments were adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Fayard sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Fayard to Committee Proposal No. 4 by Delegate Stagg et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 29, immediately after the word "election" and before the word "and" insert a comma "," and the words "an elector".

On motion of Delegate Fayard the amendment was withdrawn.

Delegate Fayard sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Fayard to Committee Proposal No. 4 by Delegate Stagg et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 19, immediately after the word "office" added by Floor Amendment No. 1, proposed by Delegate Abraham and adopted by the Convention on August 3, 1973, and before the word "and" insert the following: "be the state's chief legal officer, head the department of justice, and shall"

On motion of Delegate Fayard the amendment was adopted.

Delegate Fayard moved to reconsider the motion by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 4 by Delegate Stagg et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 2, after the words "general shall" and before the words "have been" insert the following: "be the state's chief legal officer, head the department of justice, and shall"

Delegate Gravel moved the adoption of the amendment.

Delegate Bergeron objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

De Bievrix
Denney
Dennis
Derbes
Deshotels
Dunlap
Duval
Edwards
Flory
Fontenot
Fowler
Fulco
Gauthier
Giarrusso
Glenn
Gravel
Grier
Guarisco
Hardee
Hayes
Heine
Hernandez
Jack
Jackson, J.
Juneau
Kean
Kelly
Kilbourne
Landry, E. J.
Lanier
LeBlues
LeBreton
Lennox
Lowe
MoDaniel
Martin
Maubertet
Miller
Mire
Monson
Nunez
O'Neill
Perez
Perez
Planchard
Rayburn
Reeves

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Riecke  Soniat  Toca  
Roemer  Stagg  Toomy  
Roy  Stephenson  Triche  
Sandoz  Stovall  Ulo  
Shannon  Sutherland  Velazquez  
Silverberg  Taylor  Vick  
Singletary  Thistlethwaite  Weiss  
Slay  Thompson  Winchester  
Smith  Tobias  Zervigon  

Total—96.  

NAYS  

Delegates—  
Bergeron  Jenkins  Warren  
Conroy  Stinson  
Total—5.  

Absent  

Delegates—  
Aertker  Kilpatrick  Robinson  
Armmentor  Lambert  Schmitt  
Arnette  Landrum  Segura  
Cannon  Landry, A.  Tapper  
Corne  Leigh  Tate  
Drew  Leithman  Vesich  
Elkins  Newton  Wall  
Fayard  Ourso  Willis  
Guidry  Perkins  Wisham  
Haynes  Rachal  Womack  
Jackson, A.  
Total—31.  

And the amendment was adopted.  

Delegate Gravel moved to reconsider the vote by which 
the amendment was adopted, and on his own motion, the 
motion to reconsider was laid on the table.  

Delegate Dennery sent up a floor amendment, which was 
read as follows:  

FLOOR AMENDMENT  

Amendment proposed by Delegate Dennery to Committee 
Proposal No. 4 by Delegate Stagg, et al.  

Amend reprinted as reengrossed Proposal as follows:  

AMENDMENT No. 1—  
On page 2, line 3, immediately after the words "least the" 
and before the word "years" delete the word "five" and 
insert in lieu thereof the word "four"  

Delegate Dennery moved the adoption of the amendment.  

Delegate Stinson objected.  

By a vote of 36 yeas, 62 nays the amendment was 
rejected.  

Delegate Stinson moved to reconsider the vote by which 
the amendment was rejected, and on his own motion, the 
motion to reconsider was laid on the table.  

Passage  

Committee Proposal No. 4, Section 2, was read, as amended.  
Delegate Stagg moved the passage of the Section.  

ROLL CALL  

The roll was called with the following result:  

YEAS  

Delegates—  
Mr. Chairman  Bergeuron  Champagne  
Abraham  Blair  Chatelain  
Alario  Bollinger  Chehardy  
Alexander  Brien  Conino  
Anzalone  Brown  Connay  
Asseff  Burns  Cowen  
Avant  Burson  D’Gerolamo  
Badeaux  Carmouche  De Bileux  
Bel  Casey  Dennery  

Kilbourne  Landry, E. J.  
Kilbourne  Lanier  Slay  
Kilbourne  LeBlanc  Smith  
Kilbourne  LeBreton  Stagg  
Kilbourne  Lennox  Stephenson  
Kilbourne  Lowe  Stinson  
Kilbourne  Martin  Stovall  
Kilbourne  Maubert  Sutherland  
Kilbourne  Miller  Thistlethwaite  
Kilbourne  Mire  Thompson  
Kilbourne  Nunez  Toca  
Kilbourne  O’Neill  Toomy  
Kilbourne  Perez  Triche  
Kilbourne  Planchard  Ulo  
Kilbourne  Rayburn  Velazquez  
Kilbourne  Reeves  Vick  
Kilbourne  Rieke  Warren  
Kilbourne  Robinson  Weiss  
Kilbourne  Roemer  Willis  
Kilbourne  Roy  Winchester  
Kilbourne  Sandoz  Wisham  
Kilbourne  Shannon  Zervigon  

Silverberg  

Total—96.  

NAYS  

Delegates—  
Soniat  Tobin  

Total—5.  

Absent  

Delegates—  
Aertker  Kilpatrick  
Armmentor  Lambert  
Arnette  Landrum  
Cannon  Landry, A.  
Corne  Leigh  
Drew  Leithman  
Elkins  Newton  
Fayard  Ourso  
Guidry  Perkins  
Haynes  Rachal  
Jackson, A.  

Total—31.  

And the Chair declared that the above Section was passed.  

Delegate Stagg moved to reconsider the vote by which 
the above Section was passed, and, on his own motion, the 
motion to reconsider was laid on the table.  

Section 3. Elections and Terms  

Section 3. (A) The governor, lieutenant governor, secre-
tary of state, attorney general, and treasurer shall each be 
elected for a term of four years by the voters of the state, 
at the time and place of voting for members of the legisla-
ture. A person who has served as governor for more than 
one and one-half terms in two consecutive terms shall not 
be elected governor for the next succeeding term.  

(B) The returns of the election of such officials shall be 
transmitted to and promulgated by the secretary of state in 
a manner as shall be provided by statute. The person having 
the greatest number of votes for each office shall be declared 
elected.  

(C) If two or more persons have an equal and the highest 
number of votes for an office, they shall draw lots to deter-
mine the winner. The secretary of state shall arrange for 
the drawing of lots within ten days after the election results 
are promulgated, and the decision as to the winner shall be 
final and conclusive.  

(D) The term of office of each elected official shall begin 
at noon on the second Monday in March next following the 
election.  

(E) No official shall be elected statewide, except as pro-
vided by this constitution.  

Read.  

Delegate Asseff sent up a floor amendment, which was 
read as follows:  

FLOOR AMENDMENT  

Amendment proposed by Delegates Asseff, Alario, Anza-
lone, Avant, Bel, Blair, Bollinger, Burns, Burson, Champagne,
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Chehardy, Conino, D’Gerolamo, Denney, Deshotels, Drew, Flory, Fowler, Gauthier, Gin, Gravel, Grier, Jenkins, Kelly, Kilbourne, Lowe, McDaniel, Munson, Nunez, O’Neill, Rayburn, Reeves, Robinson, Roemer, Shannon, Slay, Silston, Thompson, Toca, Ulo, Velazquez, Weiss, Winchester and Wisham to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, line 7, immediately after the comma “,” which follows the word “general” and before the word “and” insert the following:

“commissioner of agriculture, commissioner of elections, commissioner of insurance;”

Delegate Asseff moved the adoption of the amendment. Delegate Stagg objected.

By a vote of 92 yeas 15 nays the amendment was adopted.

Delegate Asseff moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Rayburn sent up floor amendment, which was read as follows:

FLOOR AMENDMENT


Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

In Amendment No. 1 proposed by Delegate Asseff and adopted by the convention on August 3, 1973 after the word “insurance” insert the following:

“superintendent of education”

Delegate Rayburn moved the adoption of the amendment.

Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman—

Alaria—

Anzalone—

Avant—

Badieux—

Bel—

Bergeron—

Blair—

Brown—

Burns—

Carnecche—

Champagne—

Chatelain—

Chehardy—

Conino—

Corne—

D’Gerolamo—

Deshotels—

Drew—

Kelly—

Kilbourne—

Kilpatrick—

Landry, E. J.—

Lanier—

LeBleu—

Lowe—

McDaniel—

Martin—

Maubertel—

Miller—

Mire—

Newton—

Nunez—

O’Neill—

Perez—

Planhard—

Reeves—

Riecke—

Rul—

Stagg—

Stovall—

Sutherland—

Thistlethwaite—

Tobias—

Toomy—

Triche—

Weiss—

Wisham—

Zervigon—

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman—

Alaria—

Anzalone—

Avant—

Badieux—

Bel—

Bergeron—

Blair—

Brown—

Burns—

Carnecche—

Champagne—

Chatelain—

Chehardy—

Conino—

Corne—

D’Gerolamo—

Deshotels—

Drew—

Kelly—

Kilbourne—

Kilpatrick—

Landry, E. J.—

Lanier—

LeBleu—

Lowe—

McDaniel—

Martin—

Maubertel—

Miller—

Mire—

Newton—

Nunez—

O’Neill—

Perez—

Planhard—

Reeves—

Riecke—

Rul—

Stagg—

Stovall—

Sutherland—

Thistlethwaite—

Tobias—

Toomy—

Triche—

Weiss—

Wisham—

Zervigon—

NAYS

Delegates—

Abraham—

Arnette—

Asseff—

Bollinger—

Brien—

Burson—

Casey—

Conroy—

Cowen—

De Blieux—

Dennery—

Total—79.

NAYS

Delegates—

Abraham—

Arnette—

Asseff—

Bollinger—

Brien—

Burson—

Casey—

Conroy—

Cowen—

De Blieux—

Dennery—

Total—32.

ABSENT

Delegates—

Aeriker—

Armentor—

Cannon—

Elkins—

Guldry—

Haynes—

Kean—

Total—21.

And the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and lay that motion on the table.

Delegate Jenkins objected.

By a vote of 61 yeas and 43 nays the motion to reconsider was tabled.

Delegate Schmitt sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, line 7, after the word punctuation “attorney general,” insert the following:

“commissioner of the office of consumer affairs,”

Delegate Schmitt moved the adoption of the amendment.

Delegate Roemer objected.

By a vote of 26 yeas, 66 nays the amendment was rejected.

Delegate Thompson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Fontenot sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Fontenot, Jack, Smith, Lennox, Stinson and Deshotels to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, at the end of line 9, delete the words “a person” and delete lines 10, 11, 12 in their entirety and insert in lieu thereof the following:

“No person shall be eligible as a candidate for nomination, election or reelection to the office of governor for the term immediately following the term to which he was elected as governor; however, this provision shall not apply to the...
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governor in office at the time of the adoption of this constitution, who shall be subject to law in effect at the time of his election."

Delegate Fontenot moved the adoption of the amendment.
Delegate LeBreton objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>De Blieux</td>
<td>Payard</td>
</tr>
<tr>
<td>Edwards</td>
<td>McCready</td>
</tr>
<tr>
<td>Fiery</td>
<td>Millie</td>
</tr>
<tr>
<td>Fulco</td>
<td>Tenneson</td>
</tr>
<tr>
<td>Total—10.</td>
<td></td>
</tr>
</tbody>
</table>

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 9, after the period "." delete the remainder of the line and delete lines 10, 11, and 12.
Delegate De Blieux moved the adoption of the amendment.
Delegate Stinson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Payard</td>
</tr>
<tr>
<td>Akerter</td>
<td>McCready</td>
</tr>
<tr>
<td>Arlino</td>
<td>Millie</td>
</tr>
<tr>
<td>Armenton</td>
<td>Tenneson</td>
</tr>
<tr>
<td>Total—77.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate LeBreton moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up floor amendment, which was read as follows:

ABSENT

<table>
<thead>
<tr>
<th>Deans</th>
<th>Langan, J.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deans</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Correa</td>
<td>Leigh</td>
</tr>
<tr>
<td>Correa</td>
<td>Lehan</td>
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<tr>
<td>Cowen</td>
<td>D'Gerolamo</td>
</tr>
<tr>
<td>Denney</td>
<td>Martin</td>
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<tr>
<td>Dennis</td>
<td>Mire</td>
</tr>
<tr>
<td>Cummings</td>
<td>Newton</td>
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<tr>
<td>Dumas</td>
<td>Nunez</td>
</tr>
<tr>
<td>Dumour</td>
<td>Perkins</td>
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<tr>
<td>Dunlap</td>
<td>Perkins</td>
</tr>
<tr>
<td>Duval</td>
<td>Perkins</td>
</tr>
<tr>
<td>Fayard</td>
<td>Perkins</td>
</tr>
<tr>
<td>Total—20.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Stinson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up floor amendment, which was read as follows:

ABSENT

<table>
<thead>
<tr>
<th>Deans</th>
<th>Langan, A.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Correa</td>
<td>Leigh</td>
</tr>
<tr>
<td>Correa</td>
<td>Lehan</td>
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<tr>
<td>Cowen</td>
<td>D'Gerolamo</td>
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<tr>
<td>Denney</td>
<td>Martin</td>
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<td>Dennis</td>
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<td>Perkins</td>
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<tr>
<td>Duval</td>
<td>Perkins</td>
</tr>
<tr>
<td>Total—22.</td>
<td></td>
</tr>
</tbody>
</table>
FLOOR AMENDMENT

Amendment proposed by Delegate Roy and Jenkins to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 13 through 23, both inclusive, in their entirety.

Delegate Roy moved the adoption of the amendment.

Delegate Flory objected.

By a vote of 84 yeas, 21 nays the amendment was adopted.

Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Chatelain sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Chatelain, Thistlethwaite, Landry, Juneau, Elkins, McDaniel, Lanier, Gravel, Corne, Conroy, Hardee, Grier and Sandoz to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 12 and 13, insert the following: “(B) Each candidate for governor shall file jointly with a candidate for lieutenant governor in primary elections so that each voter shall cast a single vote for a candidate for governor and a candidate for lieutenant governor running together.”

AMENDMENT No. 2—
On page 2, line 24, delete the letter “(D)” and insert in lieu thereof the letter “(C)”

AMENDMENT No. 3—
On page 2, line 27, delete the letter “(E)” and insert in lieu thereof the letter “(D)”

Delegate Chatelain moved the adoption of the amendment.

Delegate Stinson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alexander
Asseff
Carmouche
Champagne
Chatelain
Chehardy
Conroy
Cowan
D’Gerolamo
De Blieux
Deshots
Dunlap
Total—35.

NAYS

Delegates—
Abraham
Aertker
Alario
Anzalone
Armentor

257
FLOOR AMENDMENT

Amendment proposed by Delegates De Blieux to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 27 and 28, both inclusive, in their entirety

Delegate De Blieux moved the adoption of the amendment.

Delegate Duval objected.

By a vote of 21 yeas 81 nays the amendment was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Section 3, was read, as amended.

Delegate Stagg moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
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<th></th>
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</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>Abraham</td>
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<td>Aertker</td>
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<tr>
<td>Zervigon</td>
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</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
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</tr>
</thead>
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<tr>
<td>Hayes</td>
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<tr>
<td>Jack</td>
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<td>Ken</td>
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<td>Lambert</td>
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<td></td>
</tr>
<tr>
<td>Perkins</td>
<td></td>
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</tr>
</tbody>
</table>

Total—25.

And the Chair declared that the above Section was passed.

Delegate Stagg moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 4. Compensation

Section 4. (A) The compensation of each elected official within the executive branch shall be fixed by the legislature and shall not be increased or decreased for the term for which the official is elected. No state official shall receive a salary in excess of that paid to the governor.

(B) The lieutenant governor when acting as governor shall receive the same salary as the governor, and an appointed assistant when acting as an elected official shall receive the same salary as the elected official.

Read.

Delegate O’Neill sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate O’Neill to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 29 through 32, both inclusive, in their entirety

AMENDMENT No. 2—
On page 3, delete lines 1 through 6, both inclusive, in their entirety

Delegate O’Neill moved the adoption of the amendment.

Delegate Asseff objected.

By a vote of 55 yeas 43 nays the amendment was adopted.

Delegate O’Neill moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, at line 29, insert the following:

“Section 4. Compensation

Section 4. Except as otherwise provided in this constitution, the compensation of each elected official shall be fixed by the legislature.”

Delegate Gravel moved the adoption of the amendment.

Delegate De Blieux objected.

By a vote of 82 yeas, 12 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate De Blieux to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:
AMENDMENT No. 1—
Delete Amendments No. 1 and No. 2 proposed by Delegate O'Neill and adopted by the Convention on August 3, 1973 and Delete Amendment No. 1 proposed by Delegate Gravel and adopted by the Convention on August 3, 1973.

AMENDMENT No. 2—
On page 2, delete lines 29 through 32, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 4. Compensation
Section 4. The compensation of each elected state official within the executive branch shall be fixed by the legislature and shall not be increased or decreased for the term for which the official is elected."

AMENDMENT No. 3—
On page 3, delete lines 1 through 6, both inclusive in their entirety.

Delegate De Bieux moved the adoption of the amendment.
Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
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<td>Schmitt</td>
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<tr>
<td>Asseff</td>
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NAYS

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<td>Gauthier</td>
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<td>Total</td>
<td>67.</td>
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ABSENT

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<th>Delegates</th>
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<tr>
<td>Mr. Chairman</td>
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<td>Armentor</td>
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<td>Total</td>
<td>36.</td>
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| Munson |        |        |
| Ours |        |        |
| Perez |        |        |
| Perkins |        |        |
| Rayburn |        |        |
| Total—34. |        |        |

And the amendments were rejected.

Delegate Roy moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Section 4, was read, as amended.
Delegate Gravel moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

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<tr>
<th>Delegates</th>
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<tr>
<td>Mr. Chairman</td>
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<td>Abraham</td>
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<td>Total—5.</td>
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NAYS

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<th>Delegates</th>
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<td>Total—67.</td>
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ABSENT

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<td>Arnette</td>
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<tr>
<td>Total—36.</td>
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And the Chair declared that the above Section was passed.

Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.
Section 5. Powers and Duties of Governor

Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state and shall faithfully support the constitution and laws of the state.

(B) Legislative Reports and Recommendations. The governor shall, at the beginning of each regular session of the legislature, and at other times, make reports and recommendations and give information to the legislature concerning the affairs of state, including its complete financial condition.

(C) Reports and Information. Any department head shall provide the governor with reports and information, in writing or otherwise, when requested by him on any subject relating to such department, excepting matters relating to investigations of the governor's office.

(D) Operating Budget. The governor shall prepare the state's annual operating budget, and shall transmit copies thereof to the legislature at least two weeks prior to the first day of each annual session. Upon adoption of the operating budget by the legislature, it shall become the official state budget and shall be executed and administered by the governor. Total appropriations for the year shall not exceed anticipated annual revenues as projected by the governor in the operating budget.

(E) Capital Budget. The governor shall prepare annually a five-year capital program and shall submit to each regular session of the legislature a proposed capital budget as provided by statute implementing the first year of the program. All capital projects approved by the legislature shall be made a part of the capital budget, and the operating budget for each year shall provide for amortization of the cost of each such capital project.

(F) Pardon, Commutation, Reprieve, Remission. Except in cases of conviction upon impeachment, the governor may commute, or may grant commutation of sentence, and may pardon those convicted of offenses against the state and may remit fines and forfeitures imposed for such offenses. In addition, the legislature may provide additional methods for the foregoing and other post-conviction remedies.

(G) Signature on Bills; Veto. The date and time when each bill passed by the legislature is delivered to the governor shall be entered thereon. He shall then have thirty calendar days within which to act on it. If he approves, he shall sign it. If he disapproves, he shall veto it, giving his reason therefor, and if the legislature is in session, he shall return it to the house in which it originated within twenty-four hours. If he fails to veto within the time provided by this constitution, it shall become law.

(H) Appropriation Bills. (1) The governor may veto any line item in an appropriation bill. The items vetoed shall be void unless the veto is overridden as prescribed for the passage of any bill over a veto.

(2) The governor shall either veto line items, or use other means provided in the bill, in order that total appropriations for the year shall not exceed anticipated revenues for the year.

(I) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the heads of all departments in the executive branch whose election or appointment is not provided for by this constitution and all members of boards and commissions in the executive branch whose election or appointment is not otherwise provided for by this constitution or by statute.

(2) Should the legislature be in session, the governor shall not make any appointment by the Senate the names of those appointed within forty-eight hours after the appointment is made. Failure of the Senate to confirm, prior to the end of the session, shall constitute rejection of the appointment.

(3) Should the legislature not be in session, the governor may make interim appointments, which shall expire at the end of the next session of the legislature, unless submitted to and confirmed by the Senate during such session.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

(J) Removal. The governor may remove from office those whom he appoints, except those appointed for a term fixed by this constitution or as may be fixed by statute.

(L) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He may call out the armed forces of the state to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.

(1) Extraordinary Session. (1) The governor may convene the legislature into extraordinary session by issuance of a proclamation to the legislature at least five days prior to the convening of the session. The proclamation shall state the specific subjects to be considered, the date and time the legislature is to convene, and the number of days for which the legislature is convened. The subject matter of the session may be amended, by proclamation to the legislature, until forty-eight hours prior to the hour at which the legislature convenes. The power to legislate, under the penalty of nullity, shall be limited to the subjects specially enumerated in the latest proclamation convening such extraordinary session. The session shall be limited to the time named therein, and shall not exceed thirty days.

(2) The governor may convene the legislature in extraordinary session without prior notice or proclamation on occasions of public emergencies caused by epidemics, attacks by the enemy, or public catastrophe.

Read.

Delegate Stovall sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stovall to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, line 9, after the word "shall" delete the word "faithfully" and delete line 10 in its entirety and insert in lieu thereof the following:

"cause the constitution and laws of the state to be faithfully executed and enforced."

Delegate Stovall moved the adoption of the amendment.

Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—

DeBleux
Dennis
Fuller
Gathier
Gravel
Total—15.

NAYS

Delegate—

Abraham
Aertker
Alario
Anzalone
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casy
Champlaine
Chehardy
Colino
Conroy
D'Gerolamo
Denney
Derbes
Deshotels
Drew
Dunlap
Duval
Flory
Fontenot
Fowler
Girrusso
Ginn
Grier
Guisasco
Guirdy
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Kean
Kelly
Kilbourne
Kilpatrick
Landry, E. J.
LeBlanc
Leithman
Martin
Mire
Newton
O'Neil
Ouzo
Planchard
Riecke
Robinson
Roy
Sandoz
Shannon
Singleterry
Smith
Delegate Triche moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Vice Chairman Alexander in the Chair**

Delegate Vick sent up floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Roy, Vick, Tobias to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 21 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

“(D) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a proposed state budget for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues.”

On motion of Delegate Rayburn the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Rayburn sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Rayburn, Roemer, Lowe, Alario, Planchar, Newton, Conroy, Champagne, Schmitt, Nunez and Brown to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 30 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

“(E) Capital Budget. The governor shall submit to each regular session of the legislature a proposed five-year capital outlay program with a request for implementation of the first year of the five-year program.”

**AMENDMENT No. 2—**

On page 4, delete lines 1 through 5, both inclusive, in their entirety

On motion of Delegate Rayburn the amendments were adopted.

Delegate Rayburn moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Sandoz sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sandoz, Burson, and Thistlethwaite to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 10, after “offenses,” and before “in addition” add the following:

“All these powers except the governor’s power to grant reprieve of a death sentence may be restricted or limited by law.”

Delegate Sandoz moved the adoption of the amendment.

Delegate Gravel objected.

A record vote was asked for and ordered by the Convention

**ROLL CALL**

The roll was called with the following result:
25th Days Proceedings—August 3, 1973

Delegates—
Abraham — Fontenot  
Alarco — Fowler  
Aseff — Fulco  
Blair — Ginn  
Bollinger — Grier  
Burns — Heine  
Burson — Juneau  
Champagne — Kean  
Chatelain — Kilbourne  
Conroy — Landry, E. J.  
Corne — Lanier  
Deshotels — LeBlanc  
Drew — Leck, A.M.  
Dunlap — McDaniel  
Fayard — Mauberret  
Total—45.

YEARS

Delegates—
Alexander — Gauthier  
Anzelone — Girrarsco  
Arnette — Gravel  
Avant — Guarisco  
Badeaux — Guidry  
Bea — Hayes  
Bergeron — Haynes  
Brien — Hernandez  
Carmouche — Jack  
Chehardy — Jackson, A.  
Conino — Jackson, J.  
D’Gerolamo — Jenkins  
De Blieux — Kelly  
Denney — Martin  
Dennis — Miller  
Dorbes — Mire  
Duval — Newton  
Flory — Outo  
Total—52.

NAVS

Delegates—
Mr. Chairman — Landrum  
Aertker — Landry, A.  
Armentor — LeBreton  
Brown — Leigh  
Cannon — Leithman  
Casey — Lowe  
Cowen — Munson  
Edwards — Nunez  
Ekins — O’Neill  
Hardie — Perez  
Kilpatrick — Perkins  
Lambert — Reeves  
Total—35.

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Shannon, the Convention altered the Order of Business to take up other orders of business at this time.

COMMITTEE NOTICE

Delegate Lanier, chairman of the Sub-Committee on Transitional Measures of Local and Parochial Government, sent up the following notice:

The Sub-Committee on Transitional Measures of Local and Parochial Government will meet on Thursday, August 9, 1973, at 8:00 o’clock A.M. in Committee Room No. 9 and will consider the following agenda:

AGENDA

Discuss transition of those matters not included in the committee proposal of Local and Parochial Government.

Respectfully submitted,

WALTER I. LANIER, JR.,  
Chairman of the Sub-Committee on Transitional Measures of Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare cancels its meeting previously scheduled for Thursday, August 9, 1973 at 9:00 o’clock A.M. and will meet on Thursday, August 9, 1973, at 7:00 o’clock P.M. or after adjournment in Committee Room No. 5 of the State Capitol and will consider the following agenda:

AGENDA

Continuation of hearings on education.

Continuation of consideration of proposals referred to the committee to wit:

Delegate Proposal 8
Delegate Proposal 9
Delegate Proposal 10
Committee Proposal 7

Respectfully submitted,

ROBERT J. AERTKER,  
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Tuesday, August 7, 1973, at 2 o’clock P.M. in Committee Room No. 4, State Capitol and will consider the following agenda:

AGENDA

Public Hearings on Property Taxes

Respectfully submitted,

B. B. RAYBURN,  
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Henry, chairman of the Executive Committee, sent up the following notice:

The Executive Committee will meet on Thursday, August 9, 1973, at 8:30 o’clock A.M. in Committee Room 1, State Capitol and will consider the following agenda:

AGENDA

(1) Receive status report from Treasurer
(2) Receive status report from Research Director
(3) Receive resolutions on General Convention business
(4) Receive reports on General Convention business

Respectfully submitted,

E. L. HENRY,  
Chairman of the Executive Committee
The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Tate—2 days.
Delegate A. Landry—2 days.

Adjournment
Delegate Shannon moved that the Convention do now adjourn until Saturday, August 4, 1973 at 9:00 o'clock A.M. Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Saturday, August 4, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

TWENTY-SIXTH DAY'S PROCEEDINGS

Proceedings of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Saturday, August 4, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock A.M.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman—  Gauthier—  Rachal
Abraham—  Girarruso—  Rayburn
Aeriker—  Gin—  Reeves
Alario—  Gravel—  Riecke
Alexander—  Grier—  Robinson
Anzalone—  Guarisco—  Roemer
Arnette—  Guidry—  Roy
Asseff—  Hardee—  Sandoz
Avant—  Hayes—  Schmidt
Badeaux—  Haynes—  Segur
Bel—  Heine—  Shannon
Bergeron—  Hernandez—  Silverberg
Blair—  Jack—  Singletary
Bollinger—  Jackson, A.—  Slay
Brien—  Jackson, J.—  Smith
Burns—  Jenkins—  Soniat
Burson—  Juneau—  Stagg
Carmouche—  Kea—  Stephenson
Casey—  Kelly—  Sr. Stovall
Champagne—  Kilpatrick—  Sutherland
Chatelain—  Landrum—  Thistlethwaite
Conino—  Landry, E. J.—  Thompson
Conroy—  Lanier—  Tobias
Corne—  LeBleu—  Tobias
Cwen—  Leithman—  Toct
D’Gerolamo—  Lennox—  Tocci
De Blieux—  Lowe—  Toomey
Denner—  McDaniel—  Triche
Dennis—  Martin—  Ullo
Deshotel—  Maubre—  Velazquez
Drew—  Miller—  Vesich
Dunlap—  Mire—  Vick
Duval—  Munson—  Warren
Fayard—  Newton—  Weiss
Flory—  Nunez—  Willis
Fontenot—  O’Neill—  Winchester
Fowler—  Oursou—  Whisham
Fulco—  Planchard—  Zervigon

Total—113.

ABSENT

Delegates—
Armentor—  Kilbourne—  Tappier
Brown—  Lambert—  Tadt
Cannon—  Landry, A.—  Taylor
Chehardy—  LeBreton—  Wall
Derbes—  Leigh—  Womack
Edwards—  Perez— 
Elkins—  Perkins—

Total—19.

The Chairman announced that there were 113 members
present and a quorum.

Prayer

Prayer was offered by Delegate Stovall.

Pledge of Allegiance

Delegate Champagne led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of
America.

Reading of the Journal

On motion of Delegate Zervigon, the reading of the Journal
was dispensed with.

On motion of Delegate Zervignon, the Journal of yesterday
was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the House was
engaged at the time of its adjournment on yesterday was
taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 4—

Introduced by Delegate Slagg, Chairman, on behalf of the
Committee on Executive Department;—

A PROPOSAL

Providing for the executive branch of government, for the
filling of vacancies in certain public offices, and with
respect to dual office-holding, a code of ethics, and
impeachment.

Read.

Section 5. Powers and Duties of Governor

Section 5. (A) Executive Authority. The governor shall be
the chief executive officer of the state and shall faithfully
support the constitution and laws of the state.

(B) Legislative Reports and Recommendations. The gov-
ernor shall, at the beginning of each regular session of the
legislature, and at other times, make reports and
recommendations and give information to the legislature
concerning the affairs of state, including its complete finan-
cial condition.

(C) Reports and Information. Any department head shall
provide the governor with reports and information, in writing
or otherwise, when requested by him on any subject rela-
ting to such department, excepting matters relating to in-
vestigations of the governor’s office.

(D) Operating Budget. The governor shall prepare the
state’s annual operating budget, and shall transmit copies
thereof to the legislature at least two weeks prior to the
first day of each annual session. Upon adoption of the oper-
ating budget by the legislature, it shall become the official
state budget and shall be executed and administered by the
governor. Total appropriations for the year shall not exceed
anticipated annual revenues as projected by the governor in
the operating budget.

(E) Capital Budget. The governor shall prepare annually
a five-year capital program and shall submit to each regular
session of the legislature a proposed capital budget as pro-
vided by statute implementing the first year of the pro-
gram. All capital projects approved by the legislature shall
be made a part of the capital budget, and the operating bud-
get for each year shall provide for amortization of the cost
of each such capital project.

(F) Pardon, Commutation, Reprieve, Remission. Except
in cases of conviction upon impeachment, the governor may
reprieve, may grant commutation of sentence, and may par-
don those convicted of offenses against the state and may
remit fines and forfeitures imposed for such offenses. In ad-
dition, the legislature may provide additional methods for
the foregoing and other post-conviction remedies.

(G) Signature on Bills; Veto. The date and time when
each bill passed by the legislature is delivered to the gov-
ernor shall be entered thereon. He shall then have thirty cal-
endar days within which to act on it. If he approves, he shall sign it. If he disapproves, he shall veto it, giving his reason therefor, and, if the legislature is in session, he shall return it to the house in which it originated within twenty-four hours. If he fails to veto within the time provided by this constitution, it shall become law.

(H) Appropriation Bills. (1) The governor may veto any line item in an appropriation bill. The items vetoed shall be void unless the veto is overridden as prescribed for the passage of any bill over a veto.

(2) The governor shall either veto line items, or use other means provided in the bill, in order that total appropriations for the year shall not exceed anticipated revenues for the year.

(i) Appointments. (1) The governor shall appoint, subject to confirmation by the Senate, the heads of all departments in the executive branch whose election or appointment is not provided for by this constitution and all members of boards and commissions in the executive branch whose election or appointment is not otherwise provided for by this constitution or by statute.

(2) Should the legislature be in session, the governor shall submit for confirmation by the Senate the names of those appointed within forty-eight hours after the appointment is made. Failure of the Senate to confirm, prior to the end of the session, shall constitute rejection of the appointment.

(iii) Should the legislature not be in session, the governor may make interim appointments, which shall expire at the end of the next session of the legislature, unless submitted to and confirmed by the Senate during such session.

(iv) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

(j) Removal. The governor may remove from office those whom he appoints, except those appointed for a term fixed by this constitution or as may be fixed by statute.

(K) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He may call out the armed forces of the state to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.

(L) Extraordinary Session. (1) The governor may convene the legislature into extraordinary session by issuance of a proclamation to the legislature at least five days prior to the convening of the session. The proclamation shall state the specific subjects to be considered, the date and time the legislature is to convene, and the number of days for which the legislature is convened. The subject matter of the session may be amended, by proclamation to the legislature, until forty-eight hours prior to the hour at which the legislature convenes. The power to legislate, under the penalty of nullity, shall be limited to the subjects specially enumerated in the latest proclamation convening such extraordinary session. The session shall be limited to the time named therein, and shall not exceed thirty days.

(2) The governor may convene the legislature in extraordinary session without prior notice or proclamation on occasions of public emergencies caused by epidemics, attacks by the enemy, or public catastrophe.

Read.

Delegate Jack sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jack, Gravel, Avant, Triche, and Stovall to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, delete lines 6 through 12, both inclusive, in their entirety, and insert in lieu thereof the following:

"(F) Pardon, Commutation, Reprieve, and Remission; Board of Pardons. (1) The governor shall have the power to grant reprieves to those convicted of offenses against the state and upon the recommendation of the Board of Pardons may grant commutation of sentence, may pardon those convicted of offenses against the state and may remit fines and forfeitures imposed for such offenses; provided, however, that each first offender who has never previously been convicted of a felony shall be eligible for pardon automatically upon completion of his sentence without the aforementioned recommendation.

(2) The Board of Pardons shall consist of five electors appointed by the governor, subject to confirmation by the Senate. Members of such board shall serve a term concurrent with that of the governor appointing them."

Delegate Jack moved the adoption of the amendment.

Delegate De Bleux objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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</thead>
<tbody>
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**NAYS**

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Total—1.

**ABSENT**

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<td>Edwards</td>
<td>Perez</td>
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Total—28.

And the amendment was adopted.

Delegate Jack moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 12, immediately after the period "", add the following:
"The legislature may restrict or limit by law the exercise of the powers of the governor to reprise, grant commutation of sentence, or pardon in establishing penalties for any crime punishable by life imprisonment."

Delegate Burson moved the adoption of the amendment.

Delegate A. Jackson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

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NAYS

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<tr>
<td>Total</td>
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</table>

And the amendment was rejected.

Delegate Triche moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Juneau sent up floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Juneau to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 6, in reengrossed Floor Amendment No. 1, move lines 12 and 13 and insert in lieu thereof the following:
"(2) There shall be a board of pardons which shall consist of five persons, one of which shall be the lieutenant governor and four others appointed by the governor who shall be subject to confirmation by the"
26th Days Proceedings—August 4, 1973

Jack
Jackson, A.
Jackson, J.
Jenkins
Kelly
Kilpatrick
Landrum
Landry, E. J.
Leithman
Lennox
Martin
Total—60.

ABSENT

Delegates—
Armentor
Brown
Cannon
Chehardy
Cowan
Derbes
Edwards
Elkins
Ginn
Kilbourne
Total—30.

Mire
Newton
Rachal
Riecke
Robinson
Roemer
Roy
Segura
Slay
Smith
Soniat
Silverberg
Tapper
Tate
Taylor
Thistlethwaite
Thompson
Velazquez
Vick
Wall
Womack
Stagg
Stovall
Tobias
Toca
Triche
Ulo
Vesich
Warren
Williams
Wisham
Zervigon

And the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Newton sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Newton and De Blieux to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 30, after “Senate,” add “in open session.”

Delegate De Blieux moved the adoption of the amendment.
Delegate Blair objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker
Alexander
Avant
Champagne
Conlino
De Blieux
Dennis
Total—19.

Flory
Fulco
Jenkins
Kelly
Lanier
Miller
O’Neill
Reeves
Stovall
Velazquez
Wills
Wisham

NAYS

Delegates—
Abraham
Alario
Anzalone
Arnette
Assiff
Badeaux
Bel
Bergeron
Blair
Brien
Burns
Burson
Carmouche
Casey
Chataelain
Conroy
Corney
Cowan
D’Gerolamo
Demery
Deshotels
Drew
Dunlap
Duval
Fontenot
Fowler
Gauthier
Total—81.

Giarrusso
Ginn
Gravel
Grier
Guidry
Hardee
Hayes
Haynes
Heine
Hernández
Jack
Jackson, A.
Jackson, J.
Johnson
Kean
Kilpatrick
LeBlanc
Lemmon
Lowé
McDaniel
Martin
Mauberret
Mire
Newson
Nunez
Oursso
Silverberg
Slay
Smith
Soniat
Stagg
Stephenson
Sutherland
Thistlethwaite
Thompson
Tobias
Tomey
Triche
Ulo
Vick
Weiss
Winchester
Zervigon

ABSENT

Delegates—
Mr. Chairman
Armentor
Bollinger
Brown
Cannon
Chehardy
Derbes
Edwards
Elkins
Fayard
Guarisco
Total—32.

Kilbourne
Lambert
Landrum
LeBlanc
LeBlanc, E. J.
Leigh
Leithman
Munson
Perez
Perkins
Rayburn
Singleterry
Stinson
Tapper
Tate
Taylor
Toca
Vesich
Wall
Warren
Womack

And the amendment was rejected.

Delegate Roemer moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up floor amendments, which were read as follows:
Delegate Dennery sent up floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Dennery to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, between lines 9 and 10, insert the following:
"(L) Other Powers and Duties. The governor shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute."

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 4, Section 5, was read, as amended.
Delegate Stagg moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS
Delegate—
Mr. Chairman
Abraham
Aertker
Alario
Alarez
Amato
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Bren
Burns
Burson
Carmouche
Casey
Champagne
Chastellain
Conino
Conroy
Corne
Cowan
D’Geraldo
De Blieux
Denney
Deshotels
Drew
Dunlap
Duval
Fayard
Flory
Fowler.

Total—104.

NAYS
Total—0.

ABSENT

Delegate—
Armentor
Brown
Chehardy
Cannon
Dennis
Derbes
Edwards
Elkins
Fontenot
Guarisco

Juneau
Kilbourne
Lambert
Landrum
Landry, A.
LeBreton
Leigh
McDaniel
Munson
Perez

Total—28.
Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 6. Powers and Duties of the Lieutenant Governor

Section 6. The lieutenant governor shall serve ex officio as a member of each committee, board, and commission on which the governor serves, exercise the powers delegated to him by the governor, and have such other powers and perform such other duties in the executive branch as may be authorized by this constitution or provided by statute.

Read.

Motion

Delegate Riecke moved that the Convention postpone action on Section 6 at this time.

Delegate Kean objected.

By a vote of 21 yeas and 60 nays the Convention refused to postpone action on Section 6 at this time.

Passage

Delegate Stovall moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

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<td>Drew</td>
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Total—29.

And the Chair declared that the above Section was passed.

Delegate Stovall moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 7. Powers and Duties of the Secretary of State

Section 7. There shall be a department of state headed by the secretary of state, who shall serve as the chief elections officer and administer the election laws; administer the laws relative to voting machines or other voting devices; administer the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer and preserve the official archives of the state; promulgate, publish, and retain the originals of all laws enacted by the legislature; and countersign all commissions and keep an official registry of same. He may administer oaths, and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Read.

Motion

Delegate Gravel moved that Section 7 be passed over until Wednesday, August 8, 1973.

As a substitute Delegate Kean moved that the Convention resolve itself into a Committee of the Whole for a period of one hour to consider C.P. No. 4, Sec. 7.

Delegate Anzalone objected.

The vote recurred on the substitute motion.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

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Total—54.

NAYS

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Total—93.
PAGE 7
26th Days Proceedings—August 4, 1973

Riecke
Roy
Sanchez
Shannon
Slay
Total—51.

Smith
Stovall
Thompson
Toca
Toomy
Ullo
Velazquez
Vick
Winchester
Zervigon

ABSENT

Delegates—
Mr. Chairman
Alarco
Armentor
Brown
Burns
Cannon
Chehardy
Derbes
Edwards
Total—27.

Elkins
Guarisco
Lambert
Landry, A.
LeBreton
Leigh
Mire
Munson
Perez
Perkins
Rayburn
Robinson
Tapper
Tate
Taylor
Wall
Womack

And the Convention resolved itself into a Committee of the Whole.

Vice Chairman Roy in the Chair

The Chair announced that the Convention had under consideration Committee Proposal No. 4, Section 7.

Delegate A. Jackson moved that the Committee now rise.

Delegate Burson objected.

By a vote of 61 yeas, 45 nays the committee rose.

Convention Business Resumed

Chairman Henry in the Chair

Adjournment

Delegate Triche moved that the Convention do now adjourn until 9:30 o'clock A.M., August 8, 1973.

Delegate Anzalone objected.

Delegate Triche withdrew the motion.

COMMITTEE NOTICE

Delegate Dennis, chairman of the Committee on The Judiciary, sent up the following notice:

The Committee on the Judiciary will meet on Wednesday, August 8, 1973, at 9:00 o'clock A.M. in Committee Room No. 9 and will consider the following agenda:

AGENDA

To continue consideration of Committee Proposal No. 6.

Respectfully submitted,

JAMES L. DENNIS,
Chairman of the Committee on
The Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Stagg, chairman of the Executive Committee, sent up the following notice:

The Committee on the Executive Department will meet on Tuesday, August 7, 1973, at 6:00 o'clock P.M. in Committee Room No. 5 and will consider the following agenda:

AGENDA

To hear testimony concerning the functions of state officials.

Respectfully submitted,

TOM STAGG,
Chairman of the Committee on
The Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate A. Jackson, chairman of the Committee on Bill of Rights, sent up the following notice:

The Committee on Bill of Rights will meet on Tuesday, August 7, 1973 and Wednesday, August 8, at 10:00 o'clock A.M. in Committee Room No. 1 and will consider the following agenda:

AGENDA

To hear public testimony on the committee's proposal.

Respectfully submitted,

A. JACKSON,
Chairman of the Committee on
Bill of Rights

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Badeaux—4 days.

Adjournment

Delegate Anzalone moved that the Convention do now adjourn until Wednesday, August 8, 1973 at 1:00 o'clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, August 8, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

EDWARD HARDIN
Assistant Chief Clerk

270
The roll being called, the following delegates answered to their names:

**PRESENT**

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<tr>
<th>Delegates</th>
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<td>Mr. Chairman</td>
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**ABSENT**

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The Chairman announced that there were 115 members present and a quorum.

**Prayer**

Prayer was offered by Delegate DeBlieux.

**Pledge of Allegiance**

Delegate Hernandez led the Convention in reciting the Pledge of Allegiance to the Flag to the United States of America.

**Reading of the Journal**

On motion of Delegate Abraham, the reading of the Journal was dispensed with.

On motion of Delegate Abraham, the Journal of yesterday was adopted.

**Morning Hour**

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

**DELEGATE PROPOSAL No. 24—**

Introduced by Delegate Schmitt:

A PROPOSAL Providing for a commissioner of consumer affairs.

Read.

Lies over under the rules.

**Unfinished Business**

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals**

**Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 4—**

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:

A PROPOSAL.

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

**Section 7. Powers and Duties of the Secretary of State**

Section 7. There shall be a department of state headed by the secretary of state, who shall serve as the chief elections officer and administer the election laws; administer the laws relative to voting machines or other voting devices; administer the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer and preserve the official archives of the state; promulgate, publish, and retain the originals of all laws enacted by the legislature; and countersign all commissions and keep an official registry of same. He may administer oaths, and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Read.

The chairman announced that the Convention had under Consideration Committee Proposal No. 4, Section 7, when it adjourned on Saturday, August 4, 1973, which was taken up and acted upon as follows:

Delegate Asseff sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Asseff, Abraham, An-
Page 2

27th Days Proceedings—August 8, 1973

zalone, Brien, Dennery, Duval, Gravel, and Stagg to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 19 through 21, both inclusive, in their entirety and insert in lieu thereof the following: “the secretary of state, who shall promulgate all election returns; administer the election laws except for those relating to voter registration and voting machines: administer”

Motion

Delegate Triche moved that the Convention resolve itself into a Committee of the Whole for one hour for the purpose of considering Committee Proposal No. 4 and hearing the testimony of the Secretary of State and the Custodian of Voting Machines.

Delegate Blair objected.

By a vote of 81 yeas and 29 nays the Convention resolved itself into a Committee of the Whole.

Committee of the Whole

Vice-Chairman Casey in the Chair

Under Rule 65 the Committee rose.

Convention Business Resumed

Chairman Henry in the Chair

Motion

Delegate Chatelain moved that the Convention resolve itself into a Committee of the Whole for one hour to consider Committee Proposal No. 4.

As a substitute, Delegate Jenkins moved that the Convention continue in the Regular Order of Business.

The vote recurred on the substitute motion.

By a vote of 70 yeas and 40 nays and the Convention continued in the Regular Order of Business.

Motion

Delegate Triche moved for a suspension of the rules in order to reconsider the vote by which Committee Proposal No. 4, Section 1, was passed.

Delegate Munson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham

Arnette

Bel

Bergeron

Bollinger

Brien

Carmouche

Casey

Chatelain

Conino

Conroy

Corne

Cownen

De Blieux

Dennery

Dennis

Toomby

Tribal

Toca

Total—57.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

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Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

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Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

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Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

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D'Gerolamo

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Total—53.

NAYS

Delegates—

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Total—53.

NAYS

Delegates—

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Total—53.

NAYS

Delegates—

Mr. Chairman

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Total—53.

NAYS

Delegates—

Mr. Chairman

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D'Gerolamo

Deshotel

Drew

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Elkins

Froy

Fowler

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Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

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Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

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Total—53.

NAYS

Delegates—

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Fulco

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Total—53.

NAYS

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Burns

Burson

Chehardy

D'Gerolamo

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Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

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Fowler

Fulco

Gauthier

Total—53.

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Delegates—

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Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.

NAYS

Delegates—

Mr. Chairman

Alario

Anzalone

Asseff

Avant

Blair

Burns

Burson

Chehardy

D'Gerolamo

Deshotel

Drew

Edwards

Elkins

Froy

Fowler

Fulco

Gauthier

Total—53.
27th Days Proceedings—August 8, 1973

Roemer
Schmitt
Segura
Silverberg
Singletary
Soniat
Stagg
Taylor
Stovall
Tupper
Tate
Toomy
Triche
Velazquez
Vesich
Vick
Ullo
Willis
Zervigon

TOTAL—59.

ABSENT

Delegates—
Mr. Chairman
Aerkker
Alexander
Armentor
Badeaux
Brown
Cannon
Champagne
Hardee
Jack
Jackson, J.
Kilpatrick
LeBreton
Mauberret
Perez
Perkins
Rachal
Reeves
Smith
Stinson
Thompson
Womack

TOTAL—23.

And the amendment was rejected.

Delegate Stovall moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kean sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Kean, Nunez, Alario, Chehardy, Gauthier, D'Gerolamo, Toca, Conino, Chatelain, Planhard and A. Landry to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT NO. 1—

On page 6, delete lines 19 through 21, both inclusive in their entirety, and insert in lieu thereof the following:

"the secretary of state, who shall be the chief election officer of the state and prepare and certify the ballots for all elections and promulgate all election returns; administer the election laws except for those relating to voter registration and custody of voting machines; administer"

Delegate Kean moved the adoption of the amendment.

Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alario
Anzalone
Asseff
Avant
Bel
Bergeron
Blair
Brief
Burns
Burson
Chatelain
Chehardy
Conino
Cowen
D'Gerolamo
Denner
Dennis
Derbes
Deshotels
Drew
Duval
Edwards
Elkins
Flory
Fowler
Gauthier
Ginn
Gravel
Guidry
Hardee
Hayes
Hayes
Heine
Hernandez
Jackson, A.
Jenkins
Kean
Kelly
Kilbourne
Landry, A.
Landry, E. J.
LeBreton
LeBlanc
Leigh
Leithman
Lowe
Mire
Monson
Newton
Nunez
O'Neill
Perkins
Planhard
Rachal
Rayburn
Riecke
Robinson
Roy
Rudis
Schmitt
Shannon
Silverberg
Slay
Soniat
Stagg
McDaniel
Mire
Monson
Newton
Nunez
O'Neill
Perkins
Planhard
Rachal
Rayburn
Riecke
Robinson
Roy
Rudis
Schmitt
Shannon
Silverberg
Slay
Soniat
Stagg

TOTAL—88.

NAYS

Delegates—
Arnette
Bollinger
Carmouche
Casey
Conroy
Dorias
Edwards
Eyland
Fontenot
Fuhr
Girard
Grier
Guarisco
Juneau
Landry
Lanier
Lennox
Miller
Ours
Perrin
Roemer
Segura
Singletary
Stovall
Sutherland
Tapper
Tate
Toomy
Triche
Velazquez
Vesich
Vick
Ullo
Willis
Zervigon

TOTAL—71.

ABSENT

Delegates—
Mr. Chairman
Aerkker
Alexander
Armentor
Badeaux
Brown
Cannon
Champagne
Jack
Jackson, J.
Kilpatrick
Lambert
LeBreton
Martin
Mauberret
Perez

TOTAL—22.

And the amendment was adopted.

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Section 7, was read, as amended.

Delegate Stagg moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alario
Anzalone
Asseff
Avant
Bel
Bergeron
Blair
Brief
Burns
Burson
Chatelain
Chehardy
Conino
Cowen
D'Gerolamo
Denner
Dennis
Derbes
Deshotels
Drew
Duval
Edwards
Elkins
Flory
Fowler
Gauthier
Ginn
Gravel
Guidry
Hardee
Hayes
Hayes
Heine
Hernandez
Jackson, A.
Jenkins
Kean
Kelly
Kilbourne
Landry, A.
Landry, E. J.
LeBreton
LeBlanc
Leigh
Leithman
Lowe
McDaniel
Mire
Monson
Newton
Nunez
O'Neill
Perkins
Planhard
Rachal
Rayburn
Riecke
Robinson
Roy
Rudis
Schmitt
Shannon
Silverberg
Slay
Soniat
Stagg

TOTAL—88.

NAYS

Delegates—
Arnette
Bollinger
Carmouche
Casey
Conroy
Dorias
Edwards
Eyland
Fontenot
Fuhr
Girard
Grier
Guarisco
Juneau
Landry
Lanier
Lennox
Miller
Ours
Perrin
Roemer
Segura
Singletary
Stovall
Sutherland
Tapper
Tate
Toomy
Triche
Velazquez
Vesich
Vick
Ullo
Willis
Zervigon

TOTAL—71.

273
27th Days Proceedings—August 8, 1973

Delegates—

Aertker
Alexander
Armentor
Badeaux
Brown
Cannon
Champagne
Jack
Total—22.

Delegates—

Jackson, J.
Kilpatrick
Lambert
LeBreton
Martin
Mauherret
Mire
Perez
Reeves
Smith
Taylor
Thompson
Wall
Womack

ABSENT

And the Chair declared that the above Section was passed.

Delegate Stagg moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 8. Powers and Duties of the Attorney General

Section 8. There shall be a department of justice, headed by the attorney general who shall be the state’s chief legal officer. As may be necessary for the assertion or protection of the rights and interests of the state, the attorney general shall have authority to:

1. Institute, and prosecute or intervene in any legal actions or other proceedings, civil or criminal;
2. Exercise supervision over the several district attorneys throughout the state; and
3. For cause, supersede any attorney representing the state in any civil or criminal proceeding.

He shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 1 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 8. There shall be a department of justice, headed by the attorney general who shall be the state’s chief legal officer.

Delegate Gravel moved the adoption of the amendment.

Delegate Giarrusso objected.

By a vote of 93 yeas, 12 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 4, Section 8, was read as amended.

Delegate Gravel moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**Delegates—**

Mr. Chairman
Abraham
Azario
Arnette
Aseff
Avant
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burson
Casey
Chatelain
Chehardy
Conino
Connor
Corne
Cowan
D’Gerolamo
De Blieux
Denberry
Dennis
Dobbs
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco
Total—106.

**YEAS**

Gauthier
Giarrusso
Ginn
Gravel
Grier
Guarisco
Guldry
Hardee
Hayes
Haynes
Heine
Hernandez
Jackson, A.
Jenkins
Juneau
Kelly
Kilbourne
Lambert
Landrum
Langry, A.
Langry, E. J.
Lanier
LeBlu
Leigh
Leithman
Lennox
Low
McDaniel
Mire
Monson
Newton
Nunes
O’Neill
Ourso
Planchard
Rachal

**NAYS**

Hardee
Toomy
Triche

**ABSENT**

Rayburn
Riecke
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Sonnat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thistledthwaite
Tobias
Toca
Tommy
Ullo
Velasquez
Vesich
Vick
Wall
Warren
Weiss
Willis
Winchester
Wisham
Zervigon

And the Chair declared that the above Section was passed.

Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 9. Powers and Duties of the Treasurer

Section 9. There shall be a department of treasury, headed by the state treasurer who shall be responsible for the custody, investment, and disbursement of the public funds of the state. He shall report annually to the governor and the legislature one month in advance of the regular session on the financial condition of the state, and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Read.

Delegate Anzalone sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Anzalone to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, line 17, after the word “shall” and before the
word "the" strike out the words "be responsible for" and insert in lieu thereof the word "supervise"

AMENDMENT No. 2—
On page 7, at the end of line 18, strike out the period ";" and insert the following: "as provided by law."

Delegate Anzalone moved the adoption of the amendment.
Delegate Arnette objected.
By a vote of 31 yeas, 70 nays the amendments were rejected.
Delegate Duval moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Anzalone, the Convention altered the Order of Business to take up other order of Business at this time.

Motion
On motion of Delegate Dennis the rules were suspended in order to call a meeting of the Committee on Judiciary without giving the required 24 hour notice.

COMMITTEE NOTICE
Judge Dennis, chairman of the Committee on The Judiciary, sent up the following notice:
The Committee on The Judiciary will meet on Wednesday, August 8, 1973, after adjournment in Committee Room No. 1 and will consider the following agenda:

AGENDA
Continue consideration of Committee Proposal No. 6
Respectfully submitted,
Judge James L Dennis,
Chairman of the Committee on the Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Mr. A. Jackson, Jr., chairman of the Committee on Bill of Rights and Elections, sent up the following notice:
The Committee on Bill of Rights and Elections will meet on Tuesday, August 14, 1973, at 10:00 o’clock A. M. in Committee Room No. 1 and will consider the following agenda:

AGENDA
Consideration of Constitutional Revision
Respectfully submitted,
Mr. Alphonse Jackson, Jr.,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Mr. A. Jackson, Jr., chairman of the Committee on Bill of Rights and Elections, sent up the following notice:
The Committee on Bill of Rights and Elections will meet on Tuesday and Wednesday, August 21 and 22, 1973, at 10:00 o’clock A. M. in Committee Room No. 1 and Committee Room No. 9 on August 22 and will consider the following agenda:

AGENDA
To consider the proposed Declaration of Rights.
Respectfully submitted,
Mr. Alphonse Jackson, Jr.,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Taylor 2—days.
Delegate Jack 2—days.
Delegate J. Jackson 1—day.
Delegate Kilpatrick 1—day.
Delegate Thompson 1—day.

Adjournment
Delegate Munson moved that the Convention do now adjourn until Thursday, August 9, 1973, at 9:30 o’clock A. M. Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Thursday, August 9, 1973, at 9:30 o’clock A. M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The roll being called, the following delegates answered to their names:

**PRESENT**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Present Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fulco</td>
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<tr>
<td>Abraham</td>
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<td>Dunlap</td>
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<td>Fayard</td>
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<td>Flory</td>
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<td>Fontenot</td>
<td>Perkins</td>
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<td>Fowler</td>
<td>Planchard</td>
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</tbody>
</table>

**ABSENT**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Absent Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Badeaux</td>
<td>Kean</td>
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<tr>
<td>Cannon</td>
<td>Martin</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>Perez</td>
</tr>
</tbody>
</table>

The Chairman announced that there were 123 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Smith.

**Pledge of Allegiance**

Delegate Juneau led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Delegate Rachal, the reading of the Journal was dispensed with.

On motion of Delegate Rachal, the Journal of yesterday was adopted.

**Morning Hour**

**Proposals on Second Reading and Referral**

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

**DELEGATE PROPOSAL No. 21—**

*Introduced by Delegate Schmitt:—*

A PROPOSAL

Providing for a commissioner of consumer affairs.

Read.

Under the rules the above Proposal was referred to the Committee on Executive Department.

**Unfinished Business**

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 4—**

*Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department.*

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impecunious.

Read.

Section 9. Powers and Duties of the Treasurer

Section 9. There shall be a department of treasury headed by the state treasurer who shall be responsible for the custody, investment, and disbursement of the public funds of the state. He shall report annually to the governor and the legislature one month in advance of the regular session on the financial condition of the state, and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 4, Section 9, when it adjourned on Wednesday, August 8, 1973, which was taken up and acted upon as follows:

Delegate Anzalone sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Anzalone and Asseff to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprint as reengrossed Proposal as follows:
AMENDMENT No. 1—
On page 7, at the end of line 18, change the period “.” to a comma “,” and add the following:
“except those of the state retirement systems which shall remain in the custody of each system and shall be invested and disbursed as provided by statute.”

AMENDMENT No. 2—
On page 7, at the beginning of line 19, delete the word “He” and insert in lieu thereof the words “The treasurer.

Delegate Rayburn moved the adoption of the amendment.

Delegate Abraham objected.

By a vote of 98 yeas, 5 nays the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Wall sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Wall to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 17, after the word “shall” delete the remainder of the line and delete lines 18 and 19 in their entirety and insert in lieu thereof the following:
“supervise, invest, disburse and be responsible for the custody of all funds in the general fund of the state and such other funds as shall be provided for by law. The treasurer shall report annually to the governor and the legislature at least”

AMENDMENT No. 2—
Strike out Convention Floor Amendment No. 1 proposed by Mr. Rayburn and adopted by the Convention on August 9, 1973.

Delegate Wall moved the adoption of the amendments.

Delegate Roemer objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alexander D'Gerolamo
Bel DeBleux
Carmouche Dennis
Chehardy Drew
Corne Flory

Landrum Giarrusso
LeBlu Ginn
Leigh Guerisco
Rachal Guidry
Reeves Jackson, A.
Robinson Total—31.

Roy Velazquez
Segura Vesich
Stephenson Wall
Stovall Wisham
Toce

NAYS

Delegates—
Abraham Fayard
Aertker Fowler
Alario Pulco
Anzalone Gauthier
Armentor Gravel
Arnette Griee
Asseff Hardee
Bergeron Hayes
Blair Haynes
Bollinger Hernandez
Brien Jack
Brown Jenkins
Burns Jusseu
Burson Kelly
Casey Kilbourne
Champagne Lambert
Chatelain Landry, A.
Conlin Landry, E. J.
Conroy Lanier
Cowen Leithman
Dennery Lennox
Deres McDaniel
Deshotels Miller
Dunlap Mire
Duval Munson
Duval Newton
Eldridge Nunez
Elkins Total—81.

ABSENT

Delegates—
Mr. Chairman Kean
Avant Kilpatrick
Badeaux LeBreton
Cannon Lowe
Fontenot Martin
Heine Mauberret
Jackson, J. Ours

Total—20.

And the amendments were rejected.

Delegate Abraham moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Rayburn sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Rayburn and Stagg to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 20, at the beginning of the line, before the word “one” insert the words “at least”

On motion of Delegate Rayburn the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 18, in Floor Amendment No. 1 proposed by
Delegate Rayburn, and adopted by the convention on August 9, 1973, at the beginning of the amendment add the following:

"and other funds, as provided by law"

Delegate Jenkins moved the adoption of the amendment.

Delegate Brown objected.

By a vote of 95 yeas, 7 nays the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Flory sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**

On page 7, line 18, in Floor Amendment No. 1 proposed by Delegate Rayburn and adopted by the convention on August 9, 1973, at the end of the amendment delete the period "." and insert in lieu thereof the following:

"and except the Employment Security Administration Fund."

On motion of Delegate Flory the amendment was withdrawn.

Delegate Rayburn sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Rayburn, Flory, Jenkins, Roemer, Dennery, Conroy, Wall and Gravel to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**

Delete Floor Amendment No. 1 proposed by Mr. Jenkins and adopted by the convention on August 9, 1973, and delete Floor Amendment No. 1 proposed by Mr. Rayburn to Page 7 line 18 and adopted by the Convention on August 9, 1973.

**AMENDMENT No. 2**

On page 7, at the end of line 18 change the period "," to a comma "," and insert the following:

"except as otherwise provided by this constitution."

Delegate Rayburn moved the adoption of the amendment.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**NAYS**

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Delegate Rayburn moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 4, Section 9, was read as amended.

Delegate Stagg moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

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278
28th Days Proceedings—August 9, 1973

Triece
Ulo
Velazquez
Vick
Total—102.

Total—0.

Delegates—

ABSENT

Armentor Haynes
Avant Jack
Badeaux Jackson, J.
Cannon Kean
Corne Lambert
Coven Landry, A.
Deshotels Leigh
Edwards Martin
Fontenot Miller
Guidry Ourso
Perez
Segura
Silverberg
Slay
Stovall
Sutherland
Tapper
Taylor
Thistlethwaite
Vesich

Total—30.

And the Chair declared that the above Section was passed.

Delegate Stagg moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Gravel, Abraham, Anzalone, Brien and Dennerly, to committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 23 and 24, insert the following:

"Section 10. Powers and Duties of Superintendent of Education"

"Section 10. There shall be a department of education headed by the superintendent of education. The department shall exercise such functions and the superintendent shall exercise such powers and perform such duties as may be provided by this constitution or by statute."

Motion

Delegate Duval moved that the amendment be tabled.

Delegate Anzalone objected.

By a vote of 60 yeas and 46 nays the amendment was tabled.

Delegate Duval moved to reconsider the vote by which the amendment was tabled, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennerly sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Dennerly to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 23 and 24, add the following:

"Section 10. Powers and Duties of the Commissioner of Agriculture"

"Section 10. There shall be a department of agriculture headed by the commissioner of agriculture, who shall exercise all functions of the state in relation to the promotion, protection, and advancement of agriculture except such re-

search and educational functions expressly allocated by this constitution or by statute to other state agencies. The department shall exercise such functions and the commissioner shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute."

Delegate Dennerly moved the adoption of the amendment.

Delegate Triece objected.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman Gauthier
Alario Gin
Alexander Gravel
Anzalone Grier
Asseff Hardee
Avant Hayes
Bel Heine
Blair Hernandez
Brown Jack
Burns Jenkins
Burson Juneau
Champagne Kelly
Chatelain Kilbourne
Chehardy Kilpatrick
Conino Lambert
Corne Landry, A.
Covin Landry, E. J.
D'Gerolamo LeBlanc
Dennerly LeBrecht
Dennis Lowe
Drew McDaniel
Durac Mauberret
Edwards Mire
Elkins Munson
Elkins Newton
Ennis Nunez
Fowler O'Neill
Fulp O'Neil
Fulco Ourso

Total—82.

NAYS

Perkins
Planchar
Rayburn
Reeves
Riecke
Robinson
Roemer
Sandoz
Shannon
Silverberg
Slay
Stephenson
Stinson
Sutherland
Thompson
Tobias
Toca
Ulo
Velazquez
Wall
Warren
Weiss
Willis
Winchester
Wsisham
Womack

ABSENT

Delegates—

Badeaux Jackson, J.
Cannon Kean
Deshotels Leigh
Fontenot LeBlanc
Guidry Martin
Haynes Perez

Total—17.

And the amendment, having received the vote of a majority of the total membership refused to adopt a Section to a proposal, was passed.

Delegate Dennerly moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Gravel, Brien, and
AMENDMENT No. 1—
On page 7, between lines 23 and 24, add the following:
"Section 11. Powers and Duties of the Commissioner of Insurance
Section 11. There shall be a department of insurance headed by the commissioner of insurance, who shall administer the insurance code. The department shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute."

Delegate Stagg moved the adoption of the amendment.
Delegate Juneau objected.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alexander          Gauthier
Avant              Gin
Blair              Gravel
Chehardy           Haynes
Conin             Hernandez
D'Gerolamo         Jackson, A.
Derbes            Jenkins
Dunlap            Kelly
Duval             Kilpatrick
Edwards           LeBreton
Elkins            Lowe
Flory              Munson
Fowler             Newton

Total—37.

NAYS

Delegates—
Abraham           Giarrusso
Alario           Ginn
Anzalone         Gravel
Arnette          Haynes
Asseff          Hayes
Bel              Heine
Bergeron         Jack
Bollinger       Kilbourne
Brien            Lambert
Brown            Landrum
Burns            Landry, A.
Burson        Landry, E. J.
Carmouche       Lanier
Casey            LeBreton
Champagne       Lennox
Chateihan       McDaniel
Conroy           Mauberger
Corne            Miller
Cowan            Mire
De Blieux        Nunez
Denney          O'Neill
Dennis          O' Knox
Drew            Planhard
Fayard          Rachal
Fontenot         Rayburn
Fulco            Reeves

Total—79.

ABSENT

Delegates—
Mr. Chairman        Jackson, J.
Aertker            Keen
Badeaux            Leigh
Cannon             Leithman
Deshotels         Martin
Guidry              Perez

Total—16.

And the amendment, having failed to receive the vote of a majority of the total membership required to to adopt a Section to a proposal, failed to pass.

Delegate O'Neil moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

FLOOR AMENDMENT

Amendment proposed by Delegates O'Neil and Asseff to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, between lines 23 and 24, add the following:
"Section 11. Powers and Duties of the Commissioner of Insurance
Section 11. There shall be a department of insurance headed by the commissioner of insurance, who shall administer the insurance code and shall be responsible for all regulatory and other functions of the state relating to insurance in all of its phases and shall have such other powers and perform such other duties as may be authorized by this constitution or by statute."

Delegate O'Neil moved the adoption of the amendment.
Delegate Arnette objected.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alario          Giarrusso
Anzalone         Ginn
Asseff          Gravel
Bel              Haynes
Bergeron        Jack
Bollinger       Landry, A.
Brown            Landry, E. J.
Burson        Lanier
Carmouche       LeBreton
Champagne       Lennox
Chateihan       McDaniel
Conroy           Mauberger
Corne            Miller
Cowan            Nunez
De Blieux        O'Neill
Denney          O' Knox
Dennis          Planhard
Drew            Rayburn
Fayard          Reich
Fontenot         Taylor
Fulco            Thistithwaite

Total—77.

NAYS

Delegates—
Abraham           Giarrusso
Alario           Ginn
Anzalone         Gravel
Asseff          Haynes
Bel              Haynes
Bergeron        Jack
Bollinger       Landry, A.
Brown            Landry, E. J.
Burson        Lanier
Carmouche       LeBreton
Champagne       Lennox
Chehardy         McDaniel
Conin            Mauberger
Conroy           Miller
Corne            Nunez
De Blieux        O'Neill
Denney          Planhard
Dennis          Rayburn
Drew            Rayburn
Fayard          Rayburn
Flory            Rayburn
Fontenot         Rayburn
Fulco            Reeves

Total—16.

ABSENT

Delegates—
Mr. Chairman        Cannon
Aertker            Dennis
Armentor           Deshotels
Badeaux            Guidry

Total—9.

And the amendment, having failed to receive the vote of
And the amendment, having failed to receive the vote of a majority of the total membership required to adopt a Section to a Proposal, failed to pass.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Arnette moved for suspension of the rules in order to reconsider the vote by which Sections 1 and 3 of Proposal No. 4 was passed but only in so far as the they affected the Commissioner of Insurance.

As a substitute Delegate Thompson moved that the Convention continue in the Regular Order of Business.

The vote recurred on the substitute motion.

By a vote of 69 yeas and 44 nays the Convention continued in the Regular Order of Business.

Delegate Casey sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 23 and 24, add the following:

"Section 11. Powers and Duties of the Commissioner of Insurance. Section 11. There shall be a department of insurance headed by the commissioner of insurance. The department shall exercise such functions and the commissioner shall have such powers and perform such duties as may be authorized by this constitution or provided by statute."

Delegate Casey moved the adoption of the amendment.

Delegate Juneau objected.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Alexander
Avant
Bel
Blair
Bollinger
Burns
Burnson
Casey
Champagne
Chehardy
Cohen
Dennery
Derbes
Drew
Duval
Edwards
Elkins
Elery
Fowler
Giarrusso
Ginn
Total—67.

Delegates—

Gravel
Guarisco
Haynes
Jack
Jenkins
Kelly
Landry
Landry, E. J.
Lanier
LeBlanc
LeBreton
Leithman
Lennox
Lowe
Mauberret
Mire
Newton
O'Neill
Perkins
Rayburn
Roemer
Roy
Sandoz
Silverberg
Slay
Soniat
Stagg
Stephenson
Stinson
Tapper
Tate
Thompson
Tobias
Toca
Togny
Velazquez
Vick
Weiss
Worcester
Womack
Zervigon

NAYS

Deshotels
Dunlap
Fayard
Fontenot
Fulco
Gauthier
Grier
Hardee
Hayes
Heine
Hernandez
Juneau
Kilbourne
Lambert
McDade
Miller
Nunez
Planchar
Rachal
Riecke
Schmitt
Segura
Shannon
Singletary
Smith
Stovall
Sutherland
Tribe
Ullo
Warren
Willis
Wisham

ABSENT

Delegates—

Landrum
Leigh
Martin
Monson
Ouroso
Perez
Reeves
Taylor
Thistlethwaite
Wall

Total—48.

And the amendment, having received the vote of a majority of the total membership required to adopt a Section to a Proposal, was passed.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Juneau sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Juneau, Anzalone, Gauthier, Alario, Assiff and Grier to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 23 and 24, add the following:

"Section 11. Powers and Duties of the Commissioner of Insurance. Section 11. There shall be a department of insurance headed by the commissioner of insurance, who shall administer the insurance code and shall be responsible for all rate-making, regulatory and other functions of the state relating to insurance and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute."

AMENDMENT No. 2—

Strike out Amendment No. 1 proposed by Delegate Casey and adopted by the Convention on August 9, 1973.

Point of Order

Delegate Tribe sought a ruling from the Chair as to whether an amendment to a Section, which Section itself was submitted and adopted as an amendment, would be in order after the vote on the amendment creating a new Section had been reconsidered, and the motion to reconsider laid on the table.

Ruling of the Chair

The Chair ruled that such amendments were in order in that: (a) the original amendment had the effect of adding a new Section which, in equity, should be subject to amendment; and, (b) the motion to reconsider the passage of the original amendment adding a Section when tabled, went to the determination of the addition of the new Section and did not have further consideration of the language then contained in that added Section, as the Rules require consideration Section by Section.

The Chair amplified the ruling, ruling further that a mo-
tion would lie to adopt a Section added to a proposal by way of amendment, further discussion or amendment, if any.

Delegate Shannon moved previous question on entire subject matter.

Delegate Juneau objected.

By a vote of 61 yeas and 52 nays the previous question was ordered.

Delegate Juneau moved the adoption of the amendment.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—
Alario
Anzalone
Aseff
Brown
Chatelain
Corne
D’Gerolamo
Deshotels
Drew
Elkins
Fayard
Fontenot
Fowler
Total—37.

Delegate—
Abraham
Arnaud
Asseff
Brown
Chatelain
Corne
D’Gerolamo
Deshotels
Drew
Elkins
Fayard
Fontenot
Fowler
Ginn
Total—60.

NAYS

Delegate—
Alario
Anzalone
Aseff
Brown
Chatelain
Corne
D’Gerolamo
Deshotels
Drew
Elkins
Fayard
Fontenot
Fowler
Ginn
Total—55.

ABSENT

Delegate—
Mr. Chairman
Aertker
Badeaux
Cannon
Champagne
Guidry
Jackson, J.
Total—18.

And the Chair declared that the above Section having failed to receive a vote of the majority of the total membership, failed to pass.

Delegate Tichte moved to reconsider the vote by which the above Section failed to pass and lay the motion to reconsider on the table.

Mr. Jenkins objected to tabling the motion to reconsider.

By a vote of 38 yeas and 74 nays and the Convention refused to table the motion to reconsider.

Delegate Jenkins insisted upon the motion to reconsider the vote by which the Section failed to pass.

Delegate Tichte objected.
By a vote of 87 yes and 24 nays the vote by which the Section failed to pass was reconsidered.

And the chair announced that the Convention had before it the question of the passage of new Section 11 of Committee Proposal No. 4, added by Floor Amendment proposed by Delegate Casey and adopted by the Convention on August 9, 1973.

Passage

Committee Proposal No. 4, New Section 11, added by Floor Amendments, was read.

Delegate Casey moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham—Fulco
Alario—Planchard
Alexander—Gauthier
Armentor—Rayburn
Avant—Reeves
Bel—Robinson
Blair—Roemer
Bollinger—Roy
Brown—Sandoz
Burns—Silverberg
Burson—Singletary
Casey—Slay
Chehardy—Smith
Conino—Stagg
Cown—Stephenson
D’Gerolamo—Stinson
Denney—Tate
Deshotels—Thompson
Drew—Tobias
Dunlap—Tooma
Edwards—Well
Elkins—Weiss
Fayard—Wilson
Flory—Womack
Fontenot—Zervigon
Fowler—Zervigon

Total—86.

NAYS

Delegates—
Anzalone—Fontenot
Arnette—Grie
Asseff—Hardee
Bergeron—Hayes
Carmouche—Juneau
Chatelain—Kibourke
Conroy—Lambert
Corne—Lanier
De Bileux—McDaniel
Dennis—Miller
Derbes—Ours
Fayard—O’Neill

Total—36.

ABSENT

Delegates—
Mr. Chairman—Jackson, J.
Aeriker—Kean
Badeaux—Landrum
Cannon—Leigh
Champagne—Martin
Gudry—Monson

Total—18.

And the Chair declared that the above Section was passed.

Delegate Casey moved to reconsider the vote by which the above Section was passed and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Thompson, and based upon the prior ruling of the Chair of this date, the Convention took up new Section 10 of Committee Proposal No. 4, added by Floor Amendment proposed by Delegate Denney and adopted by the Convention on August 9, 1973, with a view of finally adopting the same.

Passage

Committee Proposal No. 4, New Section 10, added by Floor Amendment was read.

Delegate Thompson moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham—Gauthier
Alario—Giarrusso
Anzalone—Gravel
Avant—Grier
Bel—Hardee
Blair—Hayes
Bollinger—Heine
Brown—Heine
Burns—Hernandez
Burson—Jack
Casey—Jackson, A.
Chehardy—Juneau
Conino—Kelly
Corne—Kilbourne
Cown—Kimbrough
D’Gerolamo—Kilpatrick
Denney—Langdon, E. J.
Deshotels—LaBrea
Drew—LeBlanc
Dunlap—LeBlanc
Edwards—LeBlanc
Elkins—LeBlanc
Fayard—LeBlanc
Flory—LeBlanc
Fontenot—LeBlanc
Fowler—LeBlanc
Fulco—LeBlanc

Total—86.

NAYS

Delegates—
Alexander—Derbes
Armentor—Dyser
Arnette—Duval
Asseff—Guarisco
Bergeron—Landry, A.
Brien—Ours
Carmouche—Perry
Chatelain—Perry
Conroy—Perry
De Bileux—Perry

Total—26.

ABSENT

Delegates—
Mr. Chairman—Jenkins
Aeriker—Kean
Badeaux—Kean
Cannon—Landrum
Champagne—Leigh
Gudry—Martin
Jackson, J.—Monson

Total—20.

And the Chair declared that the above Section was passed.

Delegate Thompson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate A. Jackson, the Convention altered the Order of Business to take up Reports of Committee at this time.
Reports of Committees

The following reports of committees were received and read:

Mr. Alphonse Jackson, Jr., chairman, on behalf of the Committee on Bill of Rights and Elections, submitted the following report:

State of Louisiana Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Bill of Rights and Elections to submit the following report:

DELEGATE PROPOSAL No. 14—

Introduced by Delegate Bergeron:

A PROPOSAL

Relative to amending the constitution.

Respectfully submitted,

ALPHONSE JACKSON, JR.
Chairman.

Motion

On motion of Delegate Denny, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

COMMITTEE PROPOSAL No. 20—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall, and Weiss:

A PROPOSAL

Making general provisions for elections.

Read.

Lies over under the rules.

Motion

On motion of Delegate A. Jackson, the Convention altered the Order of Business to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

COMMITTEE REPORT WITH RESPECT TO COMMITTEE PROPOSAL No. 20—

ARTICLE X. ELECTIONS

Section 1. Free Elections

Section 1. Elections shall be freely and fairly conducted on a periodic basis. No law shall interfere with the free exercise of the right to vote.


Comment: The 1921 provision referred to fairness in party primaries. The proposed section states that elections in general shall be freely and fairly conducted and prohibits laws that would interfere with the exercise of the right to vote. The section is designed to establish a general standard for the conduct of elections.

Section 2. Secret Ballot

Section 2. Voting shall be by secret ballot, and all ballots cast shall be counted publicly and preserved inviolate until any election contests have been settled.


Comment: The 1921 provisions spelled out in great detail the procedures for voting and counting ballots, some of which are now obsolete. The new provision protects the secrecy of voting and requires preservation of ballots or other records of the vote until election contests have been settled.

Section 3. Residence of Electors

Section 3. No elector shall lose a bona fide residence by temporary absence due to any employment, including military service, or while studying or visiting away from his voting district.


Comment: The 1921 provision provided that one did not lose his voting residence because of absence due to government service or study. The present provision extends this principle to private civilian employment and visiting away from one's voting district.

Section 4. Political Activities

Section 4. No law shall deny the right of each person to organize, join, support, or oppose any political party or organization, or to support or oppose any candidate or proposition except as otherwise provided in this constitution.

Source: New;

Comment: This section would protect the right of persons to associate together for political purposes except for specific prohibitions included in the constitution (i.e. civil service).

Section 5. Privilege from Arrest

Section 5. Every qualified elector shall be privileged from arrest in going to and returning from voting and while exercising the right to vote in all cases except felony or breach of the peace.


Comment: Simplification of language; no change in substance.

Section 6. Candidacy for Public Office

Section 6. No qualified elector shall be denied the right to seek public office in the election district in which he is registered except as otherwise provided in this constitution.

Source: New; see, however, New Mexico Const. Art. VII, §2 (1912).

Comment: The provision is new to Louisiana but it is the same in substance as the New Mexico provision. Its effect would be to protect the right of citizens to run for office by prohibiting the imposition of additional qualifications for office not authorized by the constitution.

Section 7. Vote Required for Election

Section 7. No person shall be elected to any public office unless he has received the highest number of votes cast for that office. The legislature shall provide a method for breaking ties.


Comment: The provision permits the continuance of present practice (closed primaries and general elections) with regard to election of candidates while also permitting the legislature to adopt an open primary system in the future if it so chooses. It also mandates the legislature to provide a method for breaking ties.

Section 8. Limitation on Term of Office

Section 8. No term for any public office elected by the people shall exceed four years except as otherwise provided in this constitution.

Source: New; see, however, La. Const. Art. VIII, §§9, 10 (1921); Ore. Const. Art. XV, §2 (1859); and Ind. Const. Art. XV, §2 (1851).

Comment: The 1921 provisions state that general elections, and municipal elections in New Orleans, shall take place every four years. The proposed section would establish four years as the upper limit for fixed terms unless the constitution provides otherwise. The Indiana and Oregon
Constitutions have substantially the same provisions as the proposed section.

Section 9. Prohibited Use of Public Funds
Section 9. No public funds shall be used to urge any elector to vote for or against any candidate, nor appropriated to any candidate or political organization.

Source: New

Comment: This provision would prohibit a candidate from using public funds in his campaign and it would also prohibit public financing of the campaigns of candidates or political organizations.

Section 10. Registrars of Voters
Section 10. The governing authority of each parish shall appoint a parish registrar of voters who shall provide such bond and receive such compensation as may be determined by law. No person shall serve as registrar of voters while a qualified candidate for any elective office.


Comment: The 1921 provision, that the governing authority of each parish appoints its own registrar, is retained. The 1921 provision which constitutionalizes the Board of Registration is deleted. The present stringent prohibitions against registrars holding subsequent public office for twelve months are relaxed somewhat but a registrar must vacate his office if he qualifies for any elective office.

Section 11. Commissioners and Poll Watchers
Section 11. The legislature shall provide for the selection of commissioners and poll watchers at every election.


Comment: The detailed provisions on commissioners and poll watchers in the 1921 Constitution are reduced to a simple mandate to the legislature.

Section 12. Election Returns
Section 12. Returns of elections for public officials shall be made to the secretary of state.


Comment: The 1921 provision required returns of elections of civil offices commissioned by the governor to be made to the secretary of state unless otherwise provided in the constitution. The present provision requires all returns to be made to the secretary of state without exception.

Section 13. Registration Challenges
Section 13. A person may contest in the district court his denial of registration, or denial of his request to have removed from the rolls any names placed or standing thereon illegally which cases shall have preference over all others.


Comment: Simplification of language with details of procedure deleted.

Section 14. Election Contests
Section 14. The legislature shall provide by law for the judicial determination of contested elections.


Comment: Simplification of language with details of procedure deleted.

Section 15. Election Fraud
Section 15. No person shall register and vote in more than one place, nor offer or receive anything of value in exchange for a vote, nor engage in any other form of election fraud. The legislature shall enact laws to suppress such activities, and penalties in such cases may include suspension of the right to vote and hold office for a period not to exceed five years.


Comment: Simplification of language with details of procedure deleted. In addition, instead of permanent loss of political rights for election fraud, the legislature may only suspend such rights for five years.

Section 16. Code of Elections
Section 16. The legislature shall provide for a code of elections.

Source: New

Comment: This is a new section which simply mandates the legislature to provide for an elections code.

COMMITTEE NOTICE

Delegate Stagg, chairman of the Committee on Executive Department, sent up the following notice:

The Committee on Executive Department will meet on Tuesday, August 14, 1973, at 9:00 o'clock P. M. in Committee Rm. 5 and will consider the following agenda:

AGENDA

To consider and complete work on the proposed Code of Ethics and dual officeholding.

Respectfully submitted,

TOM STAGG,
Chairman of the Committee on Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Fontenot 1/2—day.
Delegate Kean 1—day.
Delegate Lowe 1/2—day.

Adjournment
Delegate Nuñez moved that the Convention do now adjourn until Friday, August 10, 1973 at 9:30 o'clock A. M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, August 10, 1973 at 9:30 o'clock A. M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The roll being called, the following delegates answered to their names:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Fowler</th>
<th>Perkins</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fulco</td>
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ABSENT

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<tr>
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<th>Perez</th>
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<tr>
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<td>Kilpatrick</td>
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The Chairman announced that there were 121 members present and a quorum.

Prayer

Prayer was offered by Delegate Brien.

Pledge of Allegiance

Delegate Wisham led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Alexander, the reading of the Journal was dispensed with.

On motion of Delegate Alexander, the Journal of yesterday was adopted.

Morning Hour

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 25—

Introduced by Delegate Assife: A PROPOSAL

To prohibit favoritism in the law towards women.

To read.

Lies over under the rules.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 20—

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Gunrice, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss: A PROPOSAL

Making general provisions for elections.

To read.

Under the rules the above Proposal was referred to the Committee on Bill of Rights and Elections.

Reports of Committees Lying Over Delegate and Committee Resolutions and Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 14—

Introduced by Delegate Bergeron: A PROPOSAL

Relative to amending the constitution.

To read.

Reported unfavorably by the Committee on Bill of Rights and Elections.

On motion of Delegate Burns the Proposal was withdrawn from the files of the Convention.

Motion

On motion of Delegate Brown, the Convention altered the Order of Business to take up Resolutions on Third Reading and Final Passage at this time.

Resolutions Delegate and Committee

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:
29th Days Proceedings—August 10, 1973

DELEGATE RESOLUTION No. 27—
Introduced by Delegate James H. Brown, Jr.:
A RESOLUTION
To extend greetings and commendations to the surviving delegates of the Louisiana Constitutional Convention of 1973, and to request their assistance and advice in the work of this convention.
Read.
On motion of Delegate Brown the resolution was adopted.

DELEGATE RESOLUTION No. 33—
By Delegate Leithman:
A RESOLUTION
To provide for the numbering sequence in Rule No. 66 of the Rules of Procedure.
Read.
Delegate Leithman moved the adoption of the resolution.
Delegate Roemer objected.
By a vote of 92 yeas and 3 nays the resolution was adopted.

Motion
On motion of Delegate Gravel, the Convention altered the Order of Business to take up Unfinished Business at this time.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted upon:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE RESOLUTION No. 4—
Introduced by Delegate Stagg Chairman, on behalf of the Committee on Executive Department.
A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachments.
Read.
The Chairman announced that the Convention had under consideration Committee Proposal No. 4 when it adjourned on August 9, 1973, which was taken up and acted upon as follows:
Delegate Kelly sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Kelly, Asseff, Abraham, Anzalone, Brien, and Gravel to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, between lines 23 and 24, add the following:
"Section 12. Department of Elections and Registration. Section 12. There shall be a department of elections and registration headed by the state commissioner of elections who shall administer the laws relative to custody of voting machines and voter registration. The commissioner shall have such powers and perform such duties as may be authorized by this constitution or provided by statute."

Delegate Kelly moved the adoption of the amendment.
Delegate Juneau objected.

ROLL CALL
The roll was called with the following result:

YEAS

NAYS

ABSENT

Passage
Committee Proposal No. 4, New Section 12, added by
Floor Amendment, was read
Delegate Gravel moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

NAYS

ABSENT

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29th Days Proceedings—August 10, 1973

Avant Haynes Riecke
Bergeron Heine Robinson
Blair Hernandez Roemer
Brien Jackson, A. Roy
Brown Jenkins Sandoz
Burns Kean Segura
Burson Kelly Shannon
Carmouche Kelly Silverberg
Casey Kilbourne Singletary
Champagne Lambert Smith
Chatelain Landrum Stagg
Cheatley Landry, A. Stephenson
Conino Landry, E. J. Stinson
Cowen LeBreton Sutherland
D'Gerolamo Leigh Tate
Dennery Leithman Thompson
Dennis Lowe Tobias
Deshotsels McDaniel Toca
Drew Martin Toomy
Dunlap Mauherret Triche
Elkins Mire Velazquez
Flory Munson Vick
Fowler Newton Weiss
Fulco Nunez Winchester
Gauthier O'Neill Lim
Gravel Perkins Womack
Grier Planchard Zervigon
Hardee Rachael
Hayes Rayburn

Total—91.

NAYS

Armentor Fontenot Schmitt
Arnette Giarussso Stoval
Conroy Guarisco Stovall
Cowie Juneau Warren
De Bliexes Lanier Willis
Derbes Lennox
Duvall Miller

Total—19.

ABSENT

Anzalone Guidry Tapper
Badieaux Jackson, J. Taylor
Bel Kilpatrick Thistlewaite
Bollinger Lebleu Ullo
Cannon OURSO Vesich
Edwards Perez Wall
Fayard Reeves
Ginn Slay

Total—22.

And the Chair declared that the above Section was passed.

Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 10. First Assistants

Section 10. Each statewide elected official, except the governor and lieutenant governor, shall appoint a first assistant, subject to confirmation by the Senate, and may remove him at his pleasure. The official shall submit such an applicant to the Senate in the same manner in which the governor submits appointments, and shall be subject to the same procedures and limitations in connection therewith as are imposed upon the governor. The first assistant shall possess the same qualifications as those required for election to that office.

Read. Delegate Drew sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Drew to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—On page 7, delete lines 24 through 32, both inclusive, in their entirety.

AMENDMENT No. 2—On page 8, delete line 1 in its entirety

Delegate Drew moved the adoption of the amendments.

Delegate Abraham objected.

By a vote of 53 yeas, 59 nays the amendments were rejected.

Delegate Arnette moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Asseff sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Asseff to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—On page 7, delete lines 27 through 32 in their entirety and insert in lieu thereof the following:

"That, who shall serve at his pleasure. The first assistant shall possess the same quali-

On motion of Delegate Asseff the amendment was withdrawn.

Delegate Brown sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Brown to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—On page 7, line 26, immediately after the word “governor” and before the comma “;” delete the words “and lieutenant governor”

AMENDMENT No. 2—On page 7, line 27, immediately after the word “to” and before the word “confirmation” insert the word “public”

On motion of Delegate Stovall a division of the question was ordered.

Delegate Brown moved the adoption of Amendment No. 1.

Delegate Nunez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Alexander
Brown
Dennis
Derbes
Deshotsels
Drew
Elkins
Hayes

Total—25.

NAYS

Delegates—

Abraham
Aertker
Alario
Armentor
Asseff
Avant

Bel
Carmouche
Bergeron
Casey
Blair
Champagne

Fowler
Ginn
Gravel
LeBreton
McDaniel
Mire

Newton
Rayburn
Reeves
Roy
Stinson
Thompson

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Corne Kilbourne Singleary Smith
Cowan Landrum Soniat Stagg
D’Gerolamo Lanier Stovall Sutherland
De Blieux LeBreton Stephenson
d Dennerie Leigh Stovall
Duval Leithman
Edwards Lennox Tate
Fortenot Lowe Thistlethwaite
Fulco Maubernet Tobias
Gauthier Miller Toca
Giazzese Munson Topen
Gier Nunez Tooney
Hardee O’Neill Velazquez
Hayes Perkins Warren
Heine Planchar Weiss
Hernandez Rachal Willis
Jack Riecke Winchester
Jenkins Robinson Wisham
Juneau Schmit Zervigon
Kean Shannen
Kelly Silverberg

Total—85.

Delegates—

Mr. Chairman
Anzalone Jackson, J.
Badeaux Kilpatrick
Cannon Landry, A.
Fayard Oursou
Guidry Segura
Haynes Slay
Jackson, A. Tupper

Total—22.

And the amendment was rejected.

Delegate Brown moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg moved the adoption of Amendment No. 2.

Delegate Nunez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman Dunlap LeBreton
Aeriker Edwards Lennox
Ailor Elkins McDaniel
Alexander Flory Martin
Armenton Fontenot Maubernet
Asseff Fowler Miller
Avant Fuco Mire
Bel Gauthier Newton
Bergeron Girrard Perkins
Bollinger Gravel Planchar
Brown Gruber Rachel
Burns Gueico Rayburn
Casey Hardee Reeves
Champagne Hardee Reeves
Chatelain Harnezia Rayburn
Chehardy Jack Riecke
Conino Jenkins Robinson
Corine Juneau Roy
Cowan Kelly Sandoz
D’Gerolamo Kilbourne Shannon
De Blieux Lambert Silverberg
Denney Landrum Singleary
Dennis Landry, A. Smith
Derbes Landry, E. J. Soniat
Deshotels Lanier Stagg
Drew LeBlieu Stephenson

Total—88.

NAYS

Delegates—

Abraham Hayes Roener
Annette Heine Schmitt
Blair Kean Tate
Brien Leithman Tobias
Burton Leithman Tooney
Carmouche Lowe Weiss
Conroy Munson Wisham
Duval Nuñez Woman

Total—24.

ABSENT

Delegates—

Anzalone Jackson, J.
Badeaux Kilpatrick Triche
Cannon Oursou Ullo
Fayard Perez Vesich
Guidry Segura Vick
Haynes Slay Wall
Jackson, A. Tupper

Total—20.

And the amendment was adopted.

Delegate Brown moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 24, change “Section 10,” to “Section 13.”

AMENDMENT No. 2—
On page 7, line 25, change “Section 10,” to “Section 13.”

On motion of Delegate Stagg the amendments were adopted.

Delegate Stagg moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Landrum sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendment proposed by Delegate Landrum to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 27, delete the comma “,” after the word “Senate” and insert the following:

“...and House of Representatives, acting jointly.”

AMENDMENT No. 2—
On page 7, line 29, immediately after “Senate” and before “in the” insert “and House”

Delegate Landrum moved the adoption of the amendment.

Delegate Abraham objected.

By a vote of 24 yeas, 82 nays the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate O’Neill sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate O'Neill to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 26, immediately after "governor," and before "appoint" delete the word "shall" and insert in lieu thereof the word "may"

Motion

Delegate Shannon moved the previous question on the entire subject matter.

Delegate Champagne objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Gravel
Aertker Gauthier
Aldreto Schmitt
Alexander Guerisco
Armentor Hardee
Bollinger Heine
Brown Hernandez
Burns Heine
Burton Hernandez
Carmouche Jenkens
Casey Kent
Chehardy Kelly
Conino Kilbourne
Conroy Kilbourne
Conway Lambert
Conway Stinson
D'Evolamo Sutherland
Denny Tocca
Dennis Vick
Debres Weiss
Descotels Willis
Dulan Rachael
Duvall Winchester
Fulco Zervigon

Total—59.

NAYS

Delegates—

Anzalone Fayard
Arnette Flory
Assell Fontenot
Avant Fowler
Bel Gauthier
Bergeron Ginn
Bollinger Grier
Brown Hayes
Burns Jack
Burton Jenkins
Chamagne Kelly
Chateulin Landrum
Conroy Landry, A.
Corne Landry, E. J.
De Blieux LeBreton
Drew Leigh
Dunlap McDaniel
Elkins Martin
Fayard McDaniel

Total—54.

ABSENT

Delegates—

Mr. Chairman Kilpatrick
Badeaux Leithman
Cannon Ours
Guidry Perez
Haynes Segura
Jackson, A. Slay
Jackson, J. Wall

Total—19.

And the previous was ordered on the entire subject matter.

Delegate O'Neill moved the adoption of the amendment.

Delegate Roy objected.

By a vote of 40 yeas, 73 nays the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Original Section 10, Amended to become Section 13, was read, as amended.

Delegate Arnette moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham Fulco
Alexander Gauthier
Armentor Gravel
Arnette Grier
Bel Guerisco
Bergeron Hardee
Bollinger Hernandez
Brown Jenkins
Burns Kent
Burton Kelly
Casey Kilbourne
Chehardy Lambert
Conino Sutherland
Conroy Tocca
D'Evolamo Vick
De Blieux Weiss
Dennery Willis
Dunlap Ynez
Duvall Winchester
Edwards Zervigon

Total—75.

NAYS

Delegates—

Aertker Fayard
Alario Flory
Assell Fontenot
Avant Fowler
Bel Gauthier
Blair Ginn
Bollinger Grier
Brown Hayes
Burns Jack
Burton Jenkins
Chamagne Kelly
Chateulin Landry, A.
Corne Landry, E. J.
De Blieux LeBreton
Drew Leigh
Dunlap McDaniel
Elkins Martin
Fayard McDaniel

Total—38.

ABSENT

Delegates—

Mr. Chairman Kilpatrick
Badeaux Leithman
Cannon Ours
Guidry Perez
Haynes Segura
Jackson, A. Slay
Jackson, J. Wall

Total—19.

And the Chair declared that the above Section was passed.

Delegate Duval moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.
Section 11, Amended to become Section 14, Vacancy in Office of Governor

Section 14. The order of succession in the office of governor in the event of vacancy shall be (1) the elected lieutenant governor, (2) the elected secretary of state, (3) the elected attorney general, (4) the elected treasurer, (5) the presiding officer of the Senate, (6) the presiding officer of the House of Representatives, and then as may be provided by statute Successors shall serve the remaining term for which the governor was elected.

Read.

Delegate Stagg sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, line 2, change “Section 11.” to “Section 14.”

AMENDMENT No. 2—

On page 8, line 3, change “Section 11.” to “Section 14.”

On motion of Delegate Stagg the amendments were adopted.

Delegate Stagg moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Original Section 11. Amended to become Section 14, was read, as amended.

Delegate Duval moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Alario
Alexander
Anzalone
Armentor
Arnette
Assef
Avant
Bel
Bergeron
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowen
D’Gerolamo
DeBleux
Denney
Dennis
Deshotels
Drew

Thompson
Tobias
Toca
Toomey

Total—105.

Tulazquez
Vick
Warren
Weiss

Total—9.

NAYS

Delegates—

Aertker
Blair
Fontenot

Total—9.

Delegates—

Badeaux
Cannon
Derbes
Guidry
Haynes
Jackson, A.

Total—18.

And the Chair declared that the above Section was passed.

Delegate Duval moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Original Section 12, Amended to become Section 15, Vacancy in Office of Lieutenant Governor

Section 15. Whenever there is a vacancy in the office of the lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.

Delegate Brown sent up floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Brown to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 11 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. Vacancy in Office of Statewide Elective Officials

Section 15. Whenever there is a vacancy in the office of any statewide elected official, other than the governor, the governor shall nominate a person to fill such vacancy, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature during a special session. However, temporary approval may be obtained by the written consent of a majority of the elected members of each house of the legislature during an interim period. Until such time as the appointee to the vacancy is confirmed by the legislature, the first assistant to the vacant office shall serve in such office, except in the office of the lieutenant governor. Once the appointee has been confirmed, he shall serve until the office is filled by election. Such election shall take place at the time of the next regular congressional election."

Point of Order

The Chairman ruled the amendment out of order because the amendment, as submitted, affected more than on Section of the Proposal.

On motion of Delegate Brown, the amendment was withdrawn.

Delegate Brown sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Brown to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:
AMENDMENT No. 1—
On page 8, delete lines 11 through 15, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 15. Vacancy in Office of Statewide Elective
Officials
Section 15. Whenever there is a vacancy in the office of
any statewide elected official, other than the governor, the
governor shall nominate a person to fill such vacancy, who
shall take office upon confirmation by a majority vote of
the elected members of each house of the legislature during
a legislative session. However, temporary approval may be
obtained by the written consent of a majority of the elected
members of each house of the legislature during an interim
period. Until such time as the appointee to the vacancy is
confirmed by the legislature, the first assistant to the vacant
office shall serve in such office, except in the office of the
lieutenant governor. Once the appointee has been confirmed,
he shall serve until the office is filled by election. Such
election shall take place at the time of the next regular con-
gressional election."

On motion of Delegate Brown the amendment was with-
drawn.

Delegate Brown sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Brown to Committee
Proposal No. 4 by Delegate Stagg, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 8, delete lines 11 through 15, both inclusive, in
their entirety and insert in lieu thereof the following:
"Section 15. Vacancy in Office of Statewide Elective
Officials
Section 15. Whenever there is a vacancy in the office of
any statewide elected official, other than the governor, the
governor shall nominate a person to fill such vacancy, who
shall take office upon confirmation by a majority vote of
the elected members of each house of the legislature during
a legislative session. However, temporary approval may be
obtained by the written consent of a majority of the elected
members of each house of the legislature during an interim
period. Until such time as the appointee to the vacancy is
confirmed by the legislature, the first assistant to the vacant
office shall serve in such office, except in the office of the
lieutenant governor. Once the appointee has been confirmed,
he shall serve until the office is filled by election. Such
election shall take place at the time of the next regular con-
gressional election."

Delegate Brown moved the adoption of the amendment.
Delegate De Blieux objected.

By a vote of 43 yeas, 70 nays the amendment was re-
jected.

Delegate De Blieux moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Juneau sent up a floor amendment, which was
read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Juneau to Committee
Proposal No. 4 by Delegate Stagg, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 8, line 13, immediately after the word "the" de-
lete the remainder of the line and lines 14 and 15 in their
entirety and insert in lieu thereof the following:
"presiding officer of the Senate shall discharge the duties
of lieutenant governor and receive the emoluments of that
office."

Delegate Juneau moved the adoption of the amendment.
Delegate Stovall objected.

By a vote of 47 yeas, 66 nays the amendment was re-
jected.

Delegate De Blieux moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were
read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Stagg to Committee
Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 8, line 11, change "Section 12." to "Section 15."

AMENDMENT No. 2—
On page 8, line 12, change "Section 12." to "Section 15."

On motion of Delegate Abraham the amendments were
adopted.

Delegate Abraham moved to reconsider the vote by which
the amendments were adopted and on his own motion, the
motion to reconsider was laid on the table.

Motion
On motion of Delegate Denney, the Convention altered
the Order of Business to take up Petitions, Memorials and
Communications at this time.

Petitions, Memorials and
Communications
The following petitions, memorials and communications
were received and read:

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

August 10, 1973
Hon. Wade O. Martin, Jr.
Secretary of State
Baton Rouge, Louisiana
Dear Mr. Martin:
Please issue commission to the following:
Robert Pugh, 329 Texas Street, Shreveport, Louisiana, 71101,
as delegate to the Constitutional Convention of 1973 (at
large), vice Representative Richard Guilford, resigned.

Yours very truly,
EDWIN EDWARDS
Governor of Louisiana

Oath of Office
Mr. Robert Pugh appeared before the bar of the Conven-
tion and took the following oaths of office administered by
Hon. David R. Poynter, Clerk of the House of Representa-
tives and Chief Clerk of the Constitutional Convention:

"I hereby solemnly swear that I will support the consti-
tution and laws of the United States; that I will well and
faithfully perform all duties as a member of the convention,
and that I will observe and obey the limitation of authority
contained in the Act under which this convention has as-
sembled. So help me God."

"I, (Robert Pugh) do solemnly swear that I will support
the Constitution and laws of the United States and the
Constitution and laws of this State; and I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention, according to the best of my ability and understanding. So help me God.

Motion

On motion of Delegate Dennery, the Convention altered the Order of Business to take up Unfinished Business at this time.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:
A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Original Section 12, Amended to become Section 15, Vacancy in Office of Lieutenant Governor

Section 15. Whenever there is a vacancy in the office of the lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.

Passage

Committee Proposal No. 4, Original Section 12, Amended to become Section 15, was read, as amended.

Delegate Abraham moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman—Corne
Abraham—Coven
Aertker—D’Gerolamo
Alario—De Blieux
Alexander—Denney
Anzalone—Dennis
Arnette—Derbes
Asseff—Duval
Avant—Edwards
Bel—Elkins
Bergeron—Fayard
Blair—Flory
Bollinger—Fontenot
Brien—Fowler
Burns—Gauthier
Burson—Giarrusso
Casey—Gravel
Champagne—Grier
Chatelain—Guarisco
Chehardy—Hayes
Conino—Heine
Conroy—Hernandez

Nunez—Jack
O’Neill—Jenkins
Ozro—Junet
Perkins—Kean
Planehard—Kilbourne
Pugh—Lambert
Rachal—Landry, A.
Rayburn—Landry, E.
Reeves—Lanier
Riecke—LeBlanc
Robinson—LeBlanc
Roy—LeBlanc
Sandoz—Lennox

Total—104.

Delegates—
Brown—Drew
Carmouche—Duplan
Deshotels—Ginn

Total—9.

NAYS

Delegates—
Brown—Kelly
Carmouche—Landrum
Deshotels—Stephenson

Total—19.

And the Chair declared that the above Section was passed.

Delegate Abraham moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Original Section 13, Amended to become Section 16, Vacancies in Other Statewide Elective Offices

Section 16. The order of succession in any other statewide elective office, in the event of a vacancy in such office, shall be the appointed first assistant in such office. Successors to such offices shall serve for the remainder of the term for which the official was elected.

Read.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Avant, Rayburn, Burns, Kean, Zervigon and Dennery to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 17 through 21, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 16. A vacancy in any statewide elective office, other than that of governor or lieutenant governor, shall be filled by the first assistant of such official; however, if the unexpired term remaining is more than one year, the office shall be filled by election held at the next regularly scheduled congressional election or statewide election, and the first assistant shall serve only until the person then elected takes office."

Delegate Avant moved the adoption of the amendment.

Delegate De Blieux objected.

By a vote of 106 yeas and 1 nay the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up floor amendments, which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 7, change “Section 13.” to “Section 16.”

AMENDMENT No. 2—
On page 9, line 8, change “Section 13.” to “Section 16.”

On motion of Delegate Abraham the amendments were adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and, on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 4, Original Section 13, Amended to become Section 16, was read, as amended.

Delegate Abraham moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Blieux
Denney
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins

Total—110.

NAYS

Total—6.

Delegates—
Armentor
Badeaux
Cannon
Hardee

Total—6.

ABSENT

Haynes
Jackson, A.
Jackson, J.
Kilpatrick

Landrum
Mire
Perez
Rachel

AMENDMENT

Amendments proposed by Delegate Toomy to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 7, change “Section 17.” to “Section 18.”

AMENDMENT No. 2—
On page 9, line 8, change “Section 17.” to “Section 18.”

On motion of Delegate Abraham the amendments were adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Toomy sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel and De Blieux to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 7, after the word and punctuation “office,” and before the word “he,” delete the word “and”

AMENDMENT No. 2—
On page 9, line 8, after the word “election” and before the word “as,” delete the words “within six months”

On motion of Delegate De Blieux the amendments were adopted.

Delegate De Blieux moved to reconsider the vote by which the amendments were adopted, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 7, change “Section 14.” to “Section 17.”

AMENDMENT No. 2—
On page 9, line 8, change “Section 14.” to “Section 17.”

On motion of Delegate Abraham the amendments were adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Toomy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENTS

Amendment proposed by Delegate Toomy to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

And the Chair declared that the above Section was passed.

Delegate Dennery moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Original Section 14, Amended to become Section 17. Other Vacancies

Section 17. (A) Should no other provision therefor be made by this constitution, by statute, by local government charter, or by ordinance, the governor shall have the power to fill any vacancy occurring in any elective office. If, at the time a vacancy occurs in such office, and the unexpired portion of the term of office is more than one year, the vacancy shall be filled at an election within six months, as may be provided by statute. The appointment provided for herein shall be effective only until a successor is duly elected and qualified.

(B) Nothing in this Section shall be construed as changing the qualifications for the various offices involved, and all appointments must be of persons who otherwise would be eligible to hold offices to which appointed.

Delegate Gravel sent up floor amendments, which were read as follows:
AMENDMENT No. 1—
On page 8, line 24, at the end of the line, add the following: "by home rule charter or plan of government;"

Delegate Toomy moved the adoption of the amendment.
Delegate Conroy objected.

By a vote of 89 yeas and 19 nays the amendment was adopted.

Delegate Toomy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Hayes sent up floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Hayes to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 8, line 24, after the word "constitution," strike out the remainder of the line, and at the beginning of line 25, strike out the words "or by ordinance;"

Delegate Hayes moved the adoption of the amendment.
Delegate Anzalone objected.

By a vote of 13 yeas and 96 nays the amendment was rejected.

Delegate Anzalone moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Schmitt to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 8, line 31, change the period "." after the word "qualified" to a comma "," and add the following: "and the person so appointed shall be ineligible to be a candidate in the election to fill the unexpired term;"

Delegate Roy moved the previous question on the entire subject matter.
Delegate Tobias objected.

By a vote of 79 yeas and 39 nays the previous question was ordered on the entire subject matter.
Delegate Schmitt moved the adoption of the amendment.
Delegate Anzalone objected.

By a vote of 16 yeas and 95 nays the amendment was rejected.

Delegate Anzalone moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 4, Original Section 14, Amended to become Section 17, was read, as amended.
Delegate Anzalone moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Mr. Chairman — Flory — O'Neill
Abraham — Fontenot — Ourso
Aertker — Fowler — Perkins
Alario — Folk — Planchard
Alexander — Gauthier — Pugh
Anzalone — Giarrusso — Rayburn
Arnette — Ginn — Reeves
Asseff — Gravel — Riecke
Avant — Gruarisco — Robinson
Bel — Heine — Roy
Bergeron — Hernandez — Sandoz
Blair — Jackson — Schmitt
Bollinger — Jackson, A. — Segura
Brien — Jenkins — Shannon
Brown — Juneau — Silverberg
Burns — Kean — Singletary
Burson — Kelly — Smith
Carmouche — Kilbourne — Soniat
Casey — Lambert — Stephenson
Chatelain — Landry, A. — Stinson
Chehardy — Landry, E. J. — Stovall
Conino — Lanier — Sutherland
Conrey — LeBlanc — Tappen
Corne — LeBreton — Tate
Cowen — Leigh — Thistlethwaite
D'Gerolamo — Leithman — Thompson
De Bieux — Lennox — Tobias
Dennery — Lowe — Toeca
Derbes — McDaniel — Toony
Deshotels — Martin — Velazquez
Drew — Mauberret — Vick
Dunlap — Miller — Weiss
Duval — Monson — Willis
Edwards — Newton — Winchester
Elkins — Nunez — Wisham
Fayard — Zervigon
Total—108.
NAYS
Delegates—
Champagne — Landrum — Warren
Hayes —
Total—4.
ABSENT
Delegates—
Armentor — Kilpatrick — Taylor
Badeaux — Mire — Tiche
Cannon — Perez — Ullo
Dennis — Rachal — Vesich
Hardee — Roemer — Wall
Haynes — Slay — Womack
Jackson, J. — Stagg —
Total—20.

And the Chair declared that the above Section was passed.
Delegate Anzalone moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Original Section 15, Amended to become Section 18, Definition of Vacancy

Section 18. A vacancy as used in this constitution shall occur in the event of death, resignation, removal by any means, or the failure to take office for any reason.

Delegate Stagg sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Stagg to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 4, change "Section 15." to "Section 18."

AMENDMENT No. 2—
On page 9, line 5, change "Section 15." to "Section 18."
PAGE II

29th Days Proceedings—August 10, 1973

On motion of Delegate Abraham the amendments were adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Original Section 15, Amended to become Section 18, was read, as amended.

Delegate Anzalone moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—
Mr. Chairman
Abraham
Aeckel
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chateilain
Chehardy
Conino
Conroy
Corne
Covens
D’Orsolino
De Blieux
Deneney
Derbis
Descchedulers
Drew
Duval
Elkins
Fayard
Florey
Fontenot

Total—112.

NAYS

Delegates—
Mr. Chairman
Abraham
Aeckel
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chateilain
Chehardy
Conino
Conroy
Corne
Covens
D’Orsolino
De Blieux
Deneney
Derbis
Descchedulers
Drew
Duval
Elkins
Fayard
Florey
Fontenot

Total—120.

And the Chair declared that the above Section was passed.

Delegate Anzalone moved to reconsider the vote by which the above Section was passed; and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Dennis, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Dennis, chairman, on behalf of the Committee on the Judiciary, submitted the following report:

State of Louisiana

Constitutional Convention

of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on the Judiciary to submit the following report:

COMMITTEE PROPOSAL No. 6—

Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ours, Sandoz, Tate, Tobias and Vesich:

A PROPOSAL

Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Reported by substitute.

Respectfully submitted,

JAMES L. DENNIS,
Chairman.

Suspension of the Rules

On motion of Delegate Dennis the rules were suspended in order to take up the Committee Proposal contained in the Committee Report at this time.

Reports of Committees Lying Over

Proposals on Second Reading

Reported by Committees

The following entitled Committee and Delegate Proposals reported by Committee were taken up and acted on as follows:

COMMITTEE PROPOSAL No. 6—

Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ours, Sandoz, Tate, Tobias and Vesich:

A PROPOSAL

Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Read.

Reported by substitute by the Committee on Judiciary.

The title to the substitute was read as follows:

COMMITTEE PROPOSAL No. 21—

Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ours, Sandoz, Tate and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL

Making provisions for the judiciary branch of government.

On motion of Delegate Dennis the substitute was adopted.

On motion of Delegate Dennis, and under a suspension of the rules, the proposal was ordered engrossed and passed to its third reading.

Motion

On motion of Delegate Gravel, the Convention altered the Order of Business to take up Unfinished Business at this time.
Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

The Chair announced that it had under consideration Committee Proposal No. 4, when it took up other orders of business which was taken up and acted upon as follows:

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Gravel, Burson, Derbes, Duval, Lanier, Newton, Roy and Stagg to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, between lines 7 and 8, add the following:

Section 19. Appointment of Designated Officials
Section 19. After the election of statewide elective offices in 1976, the legislature may prescribe the qualifications and provide for appointment, in lieu of elections, of the offices of the commissioner of agriculture, state commissioner of elections, and commissioner of insurance. No action of the legislature, pursuant hereto, shall reduce the term of any such elected official.

Motion
Delegate Munson moved that the amendment be referred to the Committee on Executive Department.

The Chair ruled the motion out of order since the amendment constitutes a complete Section and under the rules a Section of a Proposal may not be committed or recommitted.

Motion
Delegate Weiss objected to the consideration of the question which objection the Chair ruled was not in order under the Rules of Procedure of the Convention.

Appeal from the Ruling of the Chair
Delegate Weiss appealed the ruling of the Chair.

Under the rules the vote recurred on sustaining the chair.

By a vote of 90 yeas and 18 nays and the Chair was sustained.

Delegate Jack moved the previous question on the amendment.

Delegate Bollinger objected.

By a vote of 57 yeas and 54 nays, the previous question was ordered on the amendment.

Delegate Gravel moved the adoption of the amendment.

Delegate Munson objected.

And the amendment having failed to receive the vote of a majority of the total membership required to adopt a Section to a Proposal, failed to pass.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Guarisco sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Guarisco to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, between lines 7 and 8, add the following:

Section 19. Appointment of Commissioner of Elections
Section 19. After the general election for statewide elective offices in 1976, the office of state commissioner of elections shall cease to be elective and the legislature shall prescribe the qualifications and provide for the appointment. No action
of the legislature pursuant hereto, shall reduce the term of
the office of commissioner of elections."

Delegate Lowe moved the previous question on the amend-
ment.

Delegate De Blieux objected.

By a vote of 61 yeas and 44 nays the previous question was
ordered on the amendment.

Delegate Guarisco moved the adoption of the amendment.

Delegate Burns objected.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Dunlap</td>
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<td>Aertker</td>
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<td>Corne</td>
<td>Pugh</td>
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<td>De Blieux</td>
<td>Schmitt</td>
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<tr>
<td>Dennis</td>
<td>Segura</td>
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<td>Total—35.</td>
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<td>Gauthier</td>
<td>Newton</td>
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<td>Total—77.</td>
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<th>ABSENT</th>
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<tr>
<td>Mr. Chairman</td>
<td>Jackson, J.</td>
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<td>Armentor</td>
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<td>Hardee</td>
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<td>Haynes</td>
<td>Slay</td>
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<td>Total—20.</td>
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</tbody>
</table>

And the amendment having failed to receive a vote of a
majority of the total membership required to adopt a Section
to a Proposal, failed to pass.

Delegate Kelly moved to reconsider the vote by which the
amendment was rejected, and on his own motion, the motion
to reconsider was laid on the table.

Original Section 16. Amended to become Section 19. Decla-
ration of Inability

Section 19. Whenever a statewide elective official transmits
to the presiding officer of the Senate and the presiding
official of the House of Representatives a written declara-
tion that he is unable to discharge the powers and duties of
the office and until he transmits to them a written declara-
tion to the contrary, the person succeeding to the office in
the event of a vacancy shall assume the powers and duties of
the office as acting official.

Read.

Delegate Drew sent up a floor amendment, which was read
as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Drew, Rayburn and
Leigh to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, delete lines 8 through 16, both inclusive, in
their entirety

Delegate Drew moved the adoption of the amendment.

Delegate Tapper objected.

By a vote of 48 yeas, 56 nays the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments, which were
read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee
Proposal No. 4 by Delegate Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 8, change “Section 16.” to “Section 19.”

AMENDMENT No. 2—
On page 9, line 9, change “Section 16.” to “Section 19.”

On motion of Delegate Abraham the amendment was
adopted.

Delegate Abraham moved to reconsider the vote by which
the amendments were adopted, and on his own motion, the
motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Original Section 16, Amended to
become Section 19, was read, as amended.

Delegate Abraham moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

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<td>Gauthier</td>
<td>Giarrusso</td>
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<td>Total—93.</td>
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<td>Newton</td>
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<td>Total—77.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>ABSENT</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Jackson, J.</td>
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<td>Haynes</td>
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<td>Total—20.</td>
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</table>
hours declaring that probable justification for the determination that inability exists, such officer shall continue or resume in office.

(C) Should two-thirds of the elected members of each house to adopt a resolution declaring that probable justification exists for the declaration of inability, the constitutional successor shall assume the powers and duties of the office and such resolution shall be transmitted forthwith to the Supreme Court of Louisiana.

(D) By preference and priority over all other matters, the supreme court shall determine the issue of inability after due notice and hearing, by a majority vote of members elected to said court under such rules as it may adopt.

(E) A judgment of the supreme court affirming inability may be reconsidered by the court, after due notice and hearing, either upon its own motion or upon the application of such official. Upon proper showing and by majority vote of its elected members, the court may, upon such reconsideration, determine that no inability then exists, whereupon such officer shall immediately resume the powers and duties of his office.

Read.

Delegate Drew sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Drew, Rayburn, Blair and Asseff to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**

On page 9 strike out lines 18 through 32 in their entirety and on page 10 strike out lines 1 through 22 in their entirety and insert in lieu thereof the following:

"Section 20. The legislature shall provide by statute a procedure by which the inability or disability of any statewide elected official to discharge the powers and duties of his office shall be determined."

Delegate Drew moved the adoption of the amendment

Delegate Connolly objected.

By a vote of 46 yeas, 62 nays the amendment was rejected.

Delegate Connolly moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tapper sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Tapper to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1**

On page 10, line 11, after the period "", add the following: "However, no action shall be taken by the legislature until after a report has been filed by a medical examination board composed of three physicians qualified to practice in the area of the alleged inability, one to be named by the official, or his representative, whose ability is in question, one to be named by the president of the Louisiana State Medical Society, and one to be named by the chief justice of the state supreme court."

Delegate Tapper moved the adoption of the amendment.

Delegate Willis objected.

By a vote of 26 yeas, 77 nays the amendment was rejected.

Delegate Willis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up floor amendments which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 17, change “Section 17.” to “Section 20.”

AMENDMENT No. 2—
On page 9, line 18, change “Section 17.” to “Section 20.”

On motion of Delegate Stagg the amendment was adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Original Section 17, Amended to become Section 20, was read, as amended.

Delegate Dennery moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

DELEGATES—

Abraham
Alario
Alexander
Arnette
Asseff
Avant
Bel
Bergeron
Bollinger
Brien
Carmouche
Casey
Chatelain
Chehardy
Conno
Conroy
Corne
Cowen
D'Geralamo
De Blieux
Dennery
Derbes
Dunlap
Duval
Fayard
Flory
Fowler
Fulco
Fulco

Total—82.

YEA'S—

Gauthier
Giarruso
Ginn
Gravel
Guerico
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Juneau
Kean
Landrum
Landry, A.
Landry, E. J.
Leithman
Lennox
Mauberret
Miller
Mire
Monson
Newton
Nunez
Perkins
Planeard
Pugh
Riecke

Robinson
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Smith
Soniat
Stinson
Stovall
Sutherland
Tapper
Thistellewaite
Tobias
Toca
Toomy
Velazquez
Vick
Warren
Weiss
Willis
Winchester
Wisham
Zervigon

NAYS—

Elkins
Grier
Hayes
Kelly
Kilbourne
Lambert
LeBluex
Leigh
Lowe

McDaniel
O'Neill
Rayburn
Reeves
Stephenson
Tate
Thompson

Delegates—

Aerkerr
Alario
Anzalone
Blair
Brown
Burns
Burson
Champagne
Dennis
Drew

Total—25.

ABSENT—

Delegates—

Deshotels
Edwards
Fontenot
Hardee
Haynes
Jackson, J.
Kilpatrick
LeBreton

Dorbes
Deshotels
Drew
Dunlap
Duval
Eikins
Fayard
Flory
Fowler
Fulco

Mire
Monson
Newton
Nunez
Perkins
Planeard
Pugh
Rayburn
Reeves
Riecke
Robinson
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary

And the Chair declared that the above Section was passed.

Delegate Dennery moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair

Original Section 21, Amended to become Section 21. Absences

Section 21. In the event of a temporary absence of the governor from the state, the lieutenant governor shall act as governor. In the event of a temporary absence of a state elected official from the state, the appointed first assistant shall act in his absence.

Read.

Delegate Tapper sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Proposal No. 4 by Delegates Stagg, et al.

Amend Reprinted as Reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 23, change “Section 18.” to “Section 21.”

AMENDMENT No. 2—
On page 10, line 24, change “Section 18.” to “Section 21.”

On motion of Delegate Abraham the amendment was adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 4, Original Section 17, amended to become Section 21, was read, as amended.

Delegate Tapper moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

DELEGATES—

Abraham
Aerkerr
Alario
Anzalone
Blair
Brown
Burns
Burson
Champagne
Dennis
Drew

Total—25.

YEA'S—

Deshotels
Drew
Dunlap
Duval
Eikins
Fayard
Flory
Fowler
Fulco

Mire
Monson
Newton
Nunez
Perkins
Planeard
Pugh
Rayburn
Reeves
Riecke
Robinson
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary

Landry, E. J.
Lanier
LeBluex
Leigh
Leithman
Lennox
Lowe
McDaniel
Mauberret
Miller
Mire
Monson
Newton
Nunez
O'Neill
Perkins
Planeard
Pugh
Rayburn
Reeves
Riecke
Robinson
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
And the Chair declared that the above Section was passed.

Delegate Tapper moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Original Section 19. Amended to become Section 22. Reorganization

Section 22. The governor may propose to the legislature, on or before the first day of any session, a plan of reallocation of the functions, powers, duties, and responsibilities of all departments, offices, agencies, and other instrumentalities of the executive branch, except those functions, powers, duties, and responsibilities allocated by this constitution, among and within not more than twenty departments. The legislature, by a majority of the elected members of each house, may disapprove such plan, but may not substantively amend it.

Read.

Delegate Casey sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Casey, Duval and Lanier to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 10, delete lines 29 through 32, both inclusive in their entirety.

**AMENDMENT No. 2**

On page 11, delete lines 1 through 6, both inclusive in their entirety.

**AMENDMENT No. 3**

On page 10, line 29, add the following:

Section 22. Reorganization

Section 22. Reallocation of the functions, powers, and duties of all departments, offices, agencies, and other instrumentalities of the executive branch except those functions, powers, duties, and departments allocated by this constitution shall be as provided by statute.

Delegate Duval moved the adoption of the amendments.

Delegate Stovall objected.

By a vote of 66 yeas, 43 nays the amendments were adopted.

Delegate Duval moved to reconsider the vote by which the amendments were adopted, and, on his own motion, the motion to reconsider was laid on the table.

And the Chair declared that the above Section was passed.

Delegate Dennery moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Gravel moved to take up other orders of Business.

As a substitute Delegate O'Neill moved that the Convention continue in the Regular Order of Business.

The vote recurred on the substitute.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:
Delegates—
Aertker
Alexander
Anzalone
Arnette
Asseff
Blair
Bollinger
Burns
Casey
Conino
Conroy
Corne
Coven
De Blieux
Dennis
Derbes
DeSholets
DuNlap
Duval
Total—57.

NAYS
Flory
Forster
Ginn
Gravel
Guarisco
Heine
Lambert
Landry, J.
Landry, A.
Lawler
Leigh
Leithman
McDaniel
Mire
Newton
Orso
Pugh
Total—51.

ABSENT
Jackson, J.
Kilpatrick
LeBreton
Martin
Perez
Racah
Riecke
Roemer
Slay
Stagg
Taylor
Triche
Ulo
Vesieh
Wall
Womack

FLOOR AMENDMENT
Amendment proposed by Delegate Abraham, on behalf of the Committee on Executive Branch to Committee Proposal No. 4 by Delegate Stagg, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 11, delete lines 7 through 22, both inclusive, in their entirety.
Delegate Abraham moved the adoption of the amendments.
By a vote of 97 yeas and 7 nays the amendment was adopted.
Delegate Abraham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Gravel moved that the Convention take up other orders of Business.
As a substitute Delegate O'Neill moved that Convention continue in the Regular Order of Business.
The vote recurred on the substitute motion.
By a vote of 57 yeas and 49 nays the Convention continued in the Regular Order of Business.
Delegate Brien sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Brien to Committee Proposal No. 4 by Delegate Stagg, et al.
Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
On page 11, line 23, add the following section:
"Section 23. Office of Consumer Protection; Director
Section 23. There shall be a State Office of Consumer Protection headed by a Director of Consumer Protection. The director may establish an office of consumer protection in each parish of the state. He shall represent consumer interests in hearings before any board, commission, department or agency of the state or any political subdivision thereof and shall exercise such other powers and duties as shall be fixed by law."
Delegate Brien moved the adoption of the amendment.
Delegate Anzalone objected.

ROLL CALL
The roll was called with the following result:

YEAS
Abraham
Aertker
Alario
Alexander
Asseff
Brien
Brown
Corne
D'Gerolamo
De Blieux
Denner
Dennis
Derbes
DuNlap
Flory
Gauthier
Total—47.

NAYS
Giarrusso
Gravel
Guarisco
Hayes
Heine
Lambert
Landrum
Landry, A.
Landry, J.
Lanier
Martin
O'Neill
Perkins
Reeves
Schmitt
Silverberg
Soniat
Stephenson
Stovall
Sutherland
Tapper
Tate
Tobias
Velasquez
Vick
Warren
Warner
Wisham
Zervigon

And the Convention continued in the Regular Order of Business.

Original Section 20. Impeachment
Section 23. (A) Any state and district official, whether elected or appointed, shall be liable to impeachment for commission or conviction of felonies or malfeasance during his term of office, or for gross misconduct.
(B) All impeachments shall be by the House of Representatives, and shall be tried by the Senate, whose members shall be upon oath or affirmation for that purpose, and a vote of two-thirds of the senators elected shall be necessary to convict. The Senate may sit for said purpose whether the House be in session or not, and may adjourn as it thinks proper. Conviction upon impeachment shall result in immediate removal from office and shall prohibit the official from holding any office under the government of this state or any of its political subdivisions. Nothing herein shall prevent any other action, prosecution, or punishment authorized by statute.

Read.
Delegate Abraham sent up a floor amendment, which was read as follows:

302
Delegates—
Abraham
Aeriker
Alario
Alexander
Anzalone
Avant
Bel
Blair
Brien
Burns
Carmouche
Casey
Champagne
Chatelain
Conlon
Conroy
Corne
Cowan
DeBlieux
Denney
Dennis
Derbes
Drew
Dunlap

Total—61.

ABSENT

Delegates—
Mr. Chairman
Jackson, J.
Slay
Stagg
Taylor

And the amendment having failed to receive a vote of a majority of the total membership, failed to pass.

Delegate Anzalone moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Arnette, Lambert, Fayard and Brown to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 11, on line 23 add the following: “Section 23. Adjutant General

Section 23. An adjutant general shall be appointed by the governor by and with the advice and consent of the Senate from active or retired officers of the Louisiana National Guard who have had at least five years of federally recognized commission service therein and who are federally qualified for promotion to the rank of colonel or higher.”

Delegate Arnette moved the adoption of the amendment.

Delegate Kean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Arnette
Asseff
Bergeron
Bollinger
Brown
Chehardy
D'Geralamo
Deshotels
Duval
Fayard
Flory
Fulco
Giarrusso

Total—38.

Delegates—

NAYS

Abraham
Aeriker
Alario
Alexander
Anzalone
Avant
Bel
Blair
Brien
Burns
Carmouche
Casey
Champagne
Chatelain
Conlon
Conroy
Corne
Cowan
DeBlieux
Denney
Dennis
Derbes
Drew
Dunlap

Total—70.

ABSENT

Delegates—

Mr. Chairman
Jackson, J.
Kilpatrick
LeBreton
Martin
Perez
Rachie
Roemer

Total—24.

Delegate Kean moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham, on behalf of Committee on Executive Department to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—

On page 11, line 23 add the following: “Section 23. Office of Consumer Protection Director

Section 23. There shall be a State Office of Consumer Protection headed by a Director of Consumer Protection. He shall represent consumer interests in hearings before any board, commission, department or agency of the state or any
political subdivision thereof and shall exercise such other powers and duties as shall be fixed by law."

Delegate Brien moved the adoption of the amendment.
Delegate Abraham objected.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
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</thead>
<tbody>
<tr>
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<td>Shannon</td>
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<td>Stovall</td>
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<td>Sutherland</td>
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<tr>
<td>Brown</td>
<td>Lambert</td>
<td>Tapper</td>
</tr>
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<td>D'Gerolamo</td>
<td>Landrum</td>
<td>Tobis</td>
</tr>
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<td>Landry, A.</td>
<td>Teo</td>
</tr>
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<td>De Bilesx</td>
<td>Landry, E. J.</td>
<td>Velazquez</td>
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<td>Dennery</td>
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<td>Vick</td>
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<td>Warren</td>
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<td>Derbes</td>
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<td>Weiss</td>
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<td>Edwards</td>
<td>Oursø</td>
<td>Winchester</td>
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<td>Fayard</td>
<td>Perkins</td>
<td>Wisham</td>
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<tr>
<td>Flory</td>
<td>Reeves</td>
<td>Zervigen</td>
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<tr>
<td>Gauthier</td>
<td>Schmitt</td>
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Total—53.

NAYS

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<td>Newton</td>
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<td>O'Neill</td>
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<tr>
<td>Avant</td>
<td>Heine</td>
<td>Planchard</td>
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<tr>
<td>Bel</td>
<td>Hernandez</td>
<td>Pugh</td>
</tr>
<tr>
<td>Blair</td>
<td>Jack</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Burns</td>
<td>Jackson, A.</td>
<td>Robinson</td>
</tr>
<tr>
<td>Camouche</td>
<td>Jenkins</td>
<td>Roy</td>
</tr>
<tr>
<td>Casey</td>
<td>Juneau</td>
<td>Sandzo</td>
</tr>
<tr>
<td>Champagne</td>
<td>Kean</td>
<td>Smith</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Kilbourne</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Chehardy</td>
<td>LeBluè</td>
<td>Stinson</td>
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<tr>
<td>Conino</td>
<td>Leigh</td>
<td>Tate</td>
</tr>
<tr>
<td>Conroy</td>
<td>Leithman</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Cowen</td>
<td>Lennox</td>
<td>Toomy</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Lowe</td>
<td>Willis</td>
</tr>
<tr>
<td>Drew</td>
<td>McDaniel</td>
<td></td>
</tr>
<tr>
<td>Dunlap</td>
<td>Maurerret</td>
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Total—52.

ABSENT

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Jackson, J.</td>
<td>Slay</td>
</tr>
<tr>
<td>Armentor</td>
<td>Kilpatrick</td>
<td>Stagg</td>
</tr>
<tr>
<td>Badeaux</td>
<td>LeBreton</td>
<td>Taylor</td>
</tr>
<tr>
<td>Burson</td>
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<td>Thompson</td>
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<td>Cannon</td>
<td>Mire</td>
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<td>Perez</td>
<td>Ullo</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Riecke</td>
<td>Vegich</td>
</tr>
<tr>
<td>Hardee</td>
<td>Roemer</td>
<td>Wall</td>
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<tr>
<td>Haynes</td>
<td></td>
<td>Womack</td>
</tr>
</tbody>
</table>

Total—27.

And the amendment having failed to receive the vote of a majority of the total membership, failed to pass.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Newton moved that the Convention take up other orders of business at this time.

As a substitute Delegate O'Neill moved the Convention continue in the Regular Order of Business.

The vote recurred on the substitute motion.

By a vote of 52 yeas and 55 nays the Convention refused to continue in the Regular Order of Business.
Delegate Stinson moved to reconsider the vote by which the Convention refused to continue in the Regular Order of Business.
Delegate Newton objected.

By a vote of 56 yeas and 51 nays the vote by which the Convention refused to continue in the Regular Order of Business, was reconsidered.
Delegate O'Neill moved the previous question on the entire subject matter.

By a vote of 54 yeas and 52 nays the previous question was ordered on the entire subject matter.

Motion
Delegate Newton moved that the Convention adjourn to Wednesday, August 15, 1973 at 9:30 o'clock A. M.

As a substitute Delegate Weiss moved that the Convention adjourn to Saturday, August 10, 1973 at 9:30 o'clock A. M.

The vote recurred on the motion for the longest period of adjournment.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
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<tr>
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<td>Dunlap</td>
<td>Segura</td>
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<td>Bel</td>
<td>Flory</td>
<td>Silverberg</td>
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<tr>
<td>Brown</td>
<td>Gravel</td>
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<td>D'Gerolamo</td>
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</tr>
<tr>
<td>Dennis</td>
<td>Roy</td>
<td></td>
</tr>
</tbody>
</table>

Total—38.

NAYS

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<tr>
<td>Mr. Chairman</td>
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<td>Fulco</td>
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Total—71.

ABSENT

<table>
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<tr>
<td>Armentor</td>
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<td>Badeaux</td>
<td>Fontenot</td>
<td>Haynes</td>
</tr>
<tr>
<td>Burson</td>
<td>Gauthier</td>
<td>Jackson, J.</td>
</tr>
</tbody>
</table>
And the Convention refused to adjourn until Wednesday, August 15, at 9:30 o'clock A. M.

The vote then recurred on the motion to adjourn to Saturday, August 10, 1973 at 9:00 o'clock A. M.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
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<td>Dennis</td>
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<td>Ullo</td>
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NAYS

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<tr>
<td>Arbeiter</td>
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<td>Deshotels</td>
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<td>Willis</td>
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<td>Total—59.</td>
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ABSENT

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>Armentor</td>
<td>Jackson, J.</td>
<td>Slay</td>
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<tr>
<td>Badeaux</td>
<td>Kilpatrick</td>
<td>Taylor</td>
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<tr>
<td>Burson</td>
<td>LeBreton</td>
<td>Triche</td>
</tr>
<tr>
<td>Cannon</td>
<td>Martin</td>
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<tr>
<td>Fontenot</td>
<td>Mire</td>
<td>Vesch</td>
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<td>Gauthier</td>
<td>Perez</td>
<td>Wall</td>
</tr>
<tr>
<td>Hardee</td>
<td>Rachal</td>
<td>Womack</td>
</tr>
<tr>
<td>Haynes</td>
<td>Riecke</td>
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<tr>
<td>Total—23.</td>
<td></td>
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</tr>
</tbody>
</table>

Failed to pass. Motion to reconsider pending.

Motion

On motion of Delegate Tobias, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions

Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 35—

Introduced by Delegate Tobias:

A RESOLUTION

To amend the Standing Rules of the Constitutional Convention

Read.

Lies over under the rules.
29th Days Proceedings—August 10, 1973

DELEGATE RESOLUTION No. 36—
Introduced by Delegate Segura:
A RESOLUTION
To amend Rule No. 33 and Rule No. 36 of the Standing Rules of the Constitutional Convention and to allow proxy voting under certain conditions.
Read.
Lies over under the rules.

Motion
On motion of Delegate Newton, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

Introduction of Proposals
The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading:

DELEGATE PROPOSAL No. 26—
Introduced by Delegate Newton:
A PROPOSAL
To establish a Board of Highways, a director, its powers, duties, and functions.
Read.
Lies over under the rules.

Delegates Denery, Secretary of the Constitutional Convention of 1973, submits the following report:
Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:
I submit the following report:

That the following entitled Delegate Resolution having been finally adopted by the Convention have been properly enrolled in final form:

DELEGATE RESOLUTION No. 33—
By Delegate Leithman:
A RESOLUTION
To provide for the numbering sequence in Rule No. 66 of the Rules of Procedure.
BE IT RESOLVED that Rule No. 66 of the Rules of Procedure of the Constitutional Convention are hereby amended and readopted as follows:

Rule No. 66, Order. The daily business of the Convention shall proceed as follows:

Morning Hour:
1. Roll Call.
2. Prayer.
3. Pledge of Allegiance.
4. Reading and Adoption of Journal.
5. Petitions, Memorials, and Communications.
6. Introduction of Resolutions.
8. Proposals on Introduction and First Reading.
9. Resolutions on Second Reading and Referral.
10. Proposals on Second Reading and Referral.
11. Reports of Committees Lying Over.
12. Reconsideration.

Regular Order of the Day:
1. Unfinished Business.
2. Special Order.
3. Resolutions on Third Reading and Final Passage.
4. Proposals on Third Reading and Final Passage.

DELEGATE RESOLUTION No. 27—
Introduced by Delegate Brown, Jr.:
A RESOLUTION
To extend greetings and commendations to the surviving delegates of the Louisiana Constitutional Convention of 1921 and to request their assistance and advice in the work of this convention.

WHEREAS, the delegates to the Constitutional Convention of Louisiana of 1973 are now assembled to rewrite the basic law of the State of Louisiana; and

WHEREAS, the delegates and the citizens of Louisiana are deeply indebted to the redactors of the Louisiana Constitution of 1921 and are grateful to Almighty God for His blessings since the adoption of that constitution.

THEREFORE, BE IT RESOLVED that the Constitutional Convention of Louisiana of 1973 hereby extends its greetings and its high commendations to the following persons who rendered this state invaluable service as delegates to the Louisiana Constitutional Convention of 1921:
Honorable John Dale, Jr., of Vidalia
Honorable Richard A. Dowling of New Orleans
Honorable J. O. Fernandez of New Orleans
Honorable Sam H. Jones of Lake Charles
Honorable John H. Meaux of Creole
Honorable Wood H. Thompson of Monroe
Honorable Rene A. Viosca of New Orleans

BE IT FURTHER RESOLVED that Delegates Dale, Dowling, Fernandez, Jones, Meaux, Thompson, and Viosca are hereby respectfully urged and requested to lend their advice and assistance to the work of this convention.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted to each delegate of the Constitutional Convention of 1921 honored herein.

Respectfully submitted,
MOISE W. DENNERY
Secretary.

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

COMMITTEE NOTICE
Delegate Lanier, chairman of the Sub-Committee on Transitional Measures of Local and Parochial Government, sent up the following notice:
The Sub-Committee on Transitional Measures of Local and Parochial Government will meet on Wednesday, August 15, 1973, at 5:30 o'clock P. M. in Committee Room No. 4 and will consider the following agenda:

AGENDA
To consider the transposition of subject matter under the jurisdiction of the Local and Parochial Government Committee.

Respectfully submitted,
WALTER I. LANIER, JR.,
Chairman of the Sub-Committee on Transitional Measures of Local and Parochial Government Committee.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Lambert, chairman of the Committee on Natural Resources, sent up the following notice:
The Committee on Natural Resources will meet on Wednesday, August 15, 1973, at 6:00 o'clock P. M. in Committee Room 205 and will consider the following agenda:

AGENDA
1. To consider Committee Amendments to CP No. 16.
2. To hear the following witnesses:
Register of State Lands—Ellen Bryan Moore, Orny Poret Department of Public Works—Daniel Cresap, Chief Engineer
3. Adoption of Final Committee Proposal

Respectfully submitted,
LOUIS JOSEPH LAMBERT, JR.,
Chairman of the Committee on Natural Resources
The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, August 16, 1973, at 6:30 o'clock P. M. or immediately after adjournment in Committee Room No. 5 and will consider the following agenda:

AGENDA
Continuation of consideration of Committee Proposal 7; Delegate Proposals 8, 9 & 10.

Respectfully submitted,
ROBERT J. AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Tate, chairman of the Committee on Style and Drafting sent up the following notice:

The Committee on Style and Drafting will meet on Wednesday, August 15, 1973, at adjournment in The Senate Lounge and will consider the following agenda:

AGENDA
Consider Committee Proposal No. 3.

Respectfully submitted,
ALBERT TATE, JR.,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

CANCELLATION OF COMMITTEE MEETING
Delegate Alphonse Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections meeting previously announced for August 14, 1973, is hereby cancelled.

Respectfully submitted,
ALPHONSE JACKSON,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Stagg the rules were suspended in order to allow him to call a meeting of the Committee on Executive Department without giving the required 24 hour notice.

COMMITTEE NOTICE
Delegate Stagg, chairman of the Committee on the Executive Department, sent up the following notice:

The Committee on the Executive Department will meet on Saturday, August 11, 1973, at 9:00 o'clock A.M. in Committee Room 1 and will consider the following agenda:

AGENDA
To consider further possible amendments to Committee Proposal No. 4.

Respectfully submitted,
Mr. TOM STAGG
Chairman of the Committee on the Executive Dept.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Ullo 1—day.
Delegate Vesich 1—day.
Delegate Slay 1—day.
Delegate Roemer 1/2—day.
Delegate Stagg 1/2—day.

Adjournment
Delegate Bergeron moved that the Convention adjourn to Saturday, August 10, 1973 at 9:30 o'clock A.M.

As a substitute Delegate Juneau moved that the Convention adjourn to Saturday, August 10, 1973 at 9:00 o'clock A.M.

The vote recurred on the longest period of adjournment.

By a vote of 51 yeas and 53 nays the Convention refused to adjourn to Saturday, August 10, 1973 at 9:00 o'clock A.M.

As a further substitute Delegate Lennox moved that the Convention adjourn to Wednesday, August 15, 1973 at 9:00 o'clock A.M.

The vote recurred on the substitute motion of Delegate Lennox.

By a vote 62 yeas and 43 nays the Convention adjourned to Wednesday, August 15, 1973 at 9:00 o'clock A.M.

And Chairman Henry declared the Convention adjourned to Wednesday, August 15, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

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29th Days Proceedings—August 10, 1973

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The Convention was called to order at 9:00 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

**PRESENT**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Present</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
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<tr>
<td>Abraham</td>
<td>Fulco</td>
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<td>Aertker</td>
<td>Gauthier</td>
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<td>Alario</td>
<td>Giarrusso</td>
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<td>Alexander</td>
<td>Ginn</td>
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<td>Hayes</td>
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<td>Heine</td>
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<td>Blair</td>
<td>Hernandez</td>
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<td>Lenox</td>
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<td>Denney</td>
<td>Lowe</td>
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<td>Deshotels</td>
<td>McDaniel</td>
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<td>Derbes</td>
<td>Martin</td>
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<td>Drew</td>
<td>Mire</td>
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<td>Dunlap</td>
<td>Munson</td>
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<td>Nunez</td>
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<td>O'Neill</td>
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<td>Fayard</td>
<td>Ourso</td>
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<td>Florey</td>
<td>Perez</td>
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<td>Fontenot</td>
<td>Perkins</td>
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**ABSENT**

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<tr>
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<td>Edwards</td>
<td>Newton</td>
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<td>Jenkins</td>
<td>Pugh</td>
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<tr>
<td>LeBreton</td>
<td>Riecke</td>
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</table>

The Chairman announced that there were 119 members present and a quorum.

**Oath of Office**

Miss Paula S. Kilpatrick appeared before the bar of the Convention and took the following oaths of office administered by Hon. David R. Poynter, Clerk of the House of Representatives and Chief Clerk of the Constitutional Convention:

"I hereby solemnly swear that I will support the Constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assembled. So help me God."

**Resolutions on Second Reading and Referral**

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

**DELEGATE RESOLUTION No. 35—**

Introduced by Delegate Tobias: A RESOLUTION

To amend the Standing Rules of the Constitutional Convention

Read.

Under the rules the above resolution was referred to the Committee on Rules, Credentials and Ethics.
DELEGATE RESOLUTION No. 36—
Introduced by Delegate Segura:
A RESOLUTION
To amend Rule No. 33 and Rule No. 36 of the Standing Rules of the Constitutional Convention and to allow proxy voting under certain conditions.
Read.
Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

Proposals on Second Reading and Referral
The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 25—
Introduced by Delegate Asseff:
A PROPOSAL
To prohibit favoritism in the law towards women.
Read.
The Chair ruled that under the rules the proposal should be referred to the Committee on Bill of Rights and Elections,
Delegate Womack objected and moved that the proposal be otherwise referred to the Committee on Natural Resources.
By a vote of 41 yeas and 65 nays the Convention refused to refer the proposal to the Committee on Natural Resources.
Under the rules the proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 26—
Introduced by Delegate Newton:
A PROPOSAL
To establish a Board of Highways, a director, its powers, duties, and functions.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Dept.

Reconsideration
COMMITTEE PROPOSAL No. 4—
Introduced by Delegate Stagg Chairman, on behalf of the Committee on Executive Department.
A PROPOSAL
Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.
Read.
Delegate Stagg moved to reconsider the vote by which the above proposal failed to pass on yesterday.
Delegate Schmitt objected.
By a vote of 104 yeas and 5 nays the vote by which the above proposal failed to pass on yesterday was reconsidered.

Proposals
Delegates and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Suspension of the Rules
On motion of Delegate Dennis the rules were suspended in order to take Committee Proposal No. 21 out of its Regular Order, at this time.

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sandoz, Tate and Vesich
A Substitute for Committee Proposal No. 6:
A PROPOSAL
Making provisions for the judiciary branch of government
Read.
Delegate Dennis sent up floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Dennis to Committee Proposal No. 21 by Delegate Dennis, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 13, delete the words "JUDICIARY DEPARTMENT" and insert in lieu thereof "JUDICIAL BRANCH"
On motion of Delegate Dennis the amendment was adopted.
Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 1. Judicial Power
Section 1. The judicial power shall be vested in a supreme court, courts of appeal, district courts, and other courts authorized by this constitution.
Read.

Passage
Delegate Dennis moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

ROLL CALL

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Bursun
Carmouche
Casey
Chamagne
Chatelain
Chehardy
Conino
Conroy
Corne
Covien
D'Gerolamo
De Bleux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Total—105.

Elkins
Payard
Flory
Fontenot
Fowler
Fulco
Gauthier
Garrusso
Ginn
Gravel
Grier
Hardie
Hayes
Haynes
Hein
Hernandez
Jack
Jackson, A.
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, E. J.
Landry, F.
Lanier
Leithman
Leonnex
Lowery
McDaniel
Martin
Miller
Nunez
O'Nell
Perry
Perkins
Perez
Roy
Sandoz
Schmitt
Shannon
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tapper
Tate
Taylor
Thistlethwaite
Thompson
Toca
Toomy
Ullo
Velazquez
Vick
Wall
Willis
Wisam
Womack
Zervigon
And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 2. Habeas Corpus, Needful Writs, Orders and Process.

Section 2. A judge may issue writs of habeas corpus and all other needful writs, orders and process in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or court of appeal is subject to review by the whole court. The power to punish for contempt of court shall be limited by law.

Read.

Passage

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Chairman
Abraham
Aderh
Alario
Alexander
Anzalone
Arnette
Assent
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Coven
Cowen
D'Gerolamo
De Blieux
Denney
Dennis
Dermes
Deshotels
Drew
Dunlap
Duval
Elkins
Fayard

Total—111.

NAYS

Mr. Chairman
Aderh
Alario
Alexander
Anzalone
Assent
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Coven
Cowen
D'Gerolamo
De Blieux
Denney
Dennis
Dermes
Deshotels
Drew
Dunlap
Duval
Elkins
Fayard

Total—59.

310
Delegate Lanier moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table. Delegate Kean objected to tabling the motion to reconsider the vote by which the amendment was adopted. By a vote of 56 yeas and 53 nays the motion to reconsider was tabled.

**Passage**

Committee Proposal No. 21, Section 3, was read, as amended. Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
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| YER | mage |
|-----|
| Cowen |
| De Bliex |
| Denney |
| Derbes |
| Drew |
| Gauthier |
| Giarrusso |
| Gravel |
| Hardee |
| Total—32. |

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<td>Jackson, J.</td>
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And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 4. Supreme Court; Districts**

Section 4. The state shall be divided into at least six supreme court districts, with at least one judge elected from each. The present districts and the number of judges assigned to each are retained, subject to change by a two-thirds vote of the elected members of each house of the legislature.

Read.

Delegate Alario sent up floor amendments which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Alario, Lanier and Duval, D’Gerolamo, Toomy to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 1, immediately after the word “into” delete the words “at least six” and insert in lieu thereof the word “seven”

**AMENDMENT No. 2—**

On page 2, line 2, immediately after the word “with” and before the word “one” delete the words “at least”

**AMENDMENT No. 3—**

On page 2, line 3, immediately after the period “;” delete the remainder of the line and delete lines 4, 5, and 6 in their entirety

Delegate Alario moved the adoption of the amendment. Delegate Tate objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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311
Delegates—

Mr. Chairman
Aertker
Alexander
Anzalone
Arnette
Asseff
Badeau
Bel
Bergeron
Brien
Bryan
Burns
Burson
Casey
Chehardy
Conino
Cowan
D’Gerolamo
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Elkins
Fayard
Flory
Fontenot
Fowler

Total—85.

NAYS

Reeves
Roemer
Roy
Sandoz
Schmitt
Shannon
Slay
Smith
Soniat
Stagg
Tatum
Sutherland
Tapper
Taylor
Thistlethwaite
Thompson
Toca
Tobias
Tocla
Toole
Velasquez
Vedrany
Wall
Warren
Weiss
Wills
Wisham
Womack
Zervigon

Absent

Lambert
LeBreton
Leigh
Maubretot
Munson
Newton
Pugh
Pieczkowski
Perkins
Planchar
Prince
Roemer
Roy
Sanfo
Shannon
Smith
Stagg
Stephenson
Stinson
Taylor
Thistlethwaite
Tocla
Toomey
Ullo
Vedrany
Wisham
Wall

NAYS

Delegates—

Mr. Chairman
Aertker
Alexander
Anzalone
Badeau
Bergeron
Blair
Bollinger
Brown
Burns
Casey
Champagne
Chehardy
Cowan
D’Gerolamo
Deshotels
Drew
Dunlap
Elkins
Fayard
Fowler

Total—47.

Total—20.

And the amendments were rejected.

Delegate Tate moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Miller, Tobias, Gauthier, Conino, Willis, Nunez, and Burson to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 2, strike out lines 1 through 6 in their entirety and insert in lieu thereof the following:

Section 4. (A) The state shall be divided into seven supreme court districts apportioned as equally as practicable by population according to each official decennial federal census. One judge shall be elected from each district.

(B) After January 1, 1975, and before January 1, 1976, the supreme court districts shall be reapportioned as equally as practicable by population in accordance with the 1970 official federal decennial census, into seven districts. Judges then serving terms to which elected shall be assigned, by vote of a majority of the supreme court justices, to a district for the remainder of the term to which they were elected. Thereafter, a judge shall be domiciled in the district from which elected for at least one year prior to qualifying as a candidate for the position. However, at the first election for each office of supreme court judge following reapportionment, an elected justice may qualify as a candidate from any dis-

And the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gauthier sent up floor amendment, which was read as follows:

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Gauthier
Girrussro
Hayes
Heines
Juneau
Landry, E. J.
Leihan
Leithman
Miller
Nunez
O’Neill
Perez
Reeves
Roemer
Roy
Sanfoz
Schmitt
Shannon
Soniat
Stagg
Tatum
Tocla
Thistlethwaite
Thompson
Toca
Tobias
Tocla
Toole
Velasquez
Vedrany
Wall
Warren
Weiss
Wills
Wisham
Womack
Zervigon

Absent

Jackson, J.
Jenkins
LeBreton
Leigh
Maubretot
Munson
Newton
Pugh
Pieczkowski
Perkins
Planchar
Prince
Roemer
Roy
Sanfoz
Shannon
Smith
Stagg
Stephenson
Stinson
Taylor
Thistlethwaite
Tocla
Toomey
Ullo
Vedrany
Wisham
Wall
FLOOR AMENDMENT

Amendment proposed by Delegate Gauthier to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 6, at the end of the line add the following:

"After January 1, 1973, the legislature, by a majority vote of the elected members of each house shall divide the first supreme court district into two districts with one judge to be elected from each district."

Delegate Gauthier moved the adoption of the amendment.

Delegate Dennis objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker
Alario
Anzalone
Asseff
Badaux
Bergeron
Chatelein
Conino
Conroy
Corne
D’Gerolamo
De Bieix
Deshotels
Dunlap
Ekins
Fayard
Flory
Planchard
Roemer
Roy
Singletary
Stephenson
Stovall
Tapper
Taylor
Tobias
Tommy
Ullo
Warren
Wills
Winchester
Wiseman
Perkins
Fontenot
Conino

NAYS

Delegates—
Mr. Chairman
Abraham
Aertker
Alexander
Arnette
Bel
Blair
Bollinger
Brien
Brown
Burns
Burson
Casey
Chehardy
Cown
Denny
Denis
Derbes
Drew
Duval
Giarrusso
Ginn
Gravel
Grier
Guarisco
Haynes
Hernandez
Jack
Jackson, A.
Keen
Kilbourne
Kippatrick
Landrum
Landry, A.
Landry, E. J.
Lennox
McDaniel
Martin
Mire
Perez
Rachal
Rayburn
Reeves
Robinson
Sandoz
Schmitt
Shannon
Stovall
Stovall
Sullivanc
Sullivanc
Tate
Tate
Thistlethwaite
Thompson
Toca
Velasquez
Vesich
Vick
Wall
Weiss
Wommack

Total—103.

ABSENT

Delegates—
Armentor
Avani
Cannon
Carmouche
Corne
Edwards
Hardie
Jenkins

Total—19.

And the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 4, was read.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alexander
Anzalone
Arnette
Asseff
Badaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Casey
Champagne
Chatelain
Cehardy
Conino
Cowen
D’Gerolamo
De Bieix
Denny
Dennis
Derbes
Deshotels
Drew
Dunlap
Ekins
Fayard
Flory

NAYS

Delegates—
Leithman
Miller
Tobias

Total—9.

ABSENT

Delegates—
Armentor
Avani
Cannon
Carmouche
Corne
Edwards
Hardie

Total—20.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 5. Superior Court; Supervisory, Original, and Appellate Jurisdiction; Rule-Making Power; Assignment of Judges

Section 5. (A) The supreme court has general supervisory jurisdiction over all other courts. It may establish procedural and administrative rules not in conflict with law. It may assign a sitting or retired judge to any court.

(B) The supreme court has exclusive original jurisdiction of disciplinary proceedings against members of the bar.

(C) Except as otherwise provided in this constitution, the
supreme court's jurisdiction in civil cases extends to both the law and the facts. In criminal matters, its appellate jurisdiction extends only to questions of law.

(D) In addition to appeals provided for elsewhere in this constitution, the following cases shall be appealable to the supreme court:

(1) A case in which a law or ordinance has been declared unconstitutional;
(2) A criminal case in which the death penalty or imprisonment at hard labor may be imposed or in which a fine exceeding five hundred dollars or imprisonment exceeding six months has been actually imposed. In other criminal cases, an accused shall have a right of appeal or review, as provided by law or by rule of the supreme court not inconsistent therewith.

(E) Subject to the provisions of Subsection (C), the supreme court has appellate jurisdiction over all issues involved in any civil action properly before it.

Read.

Delegate Conino sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Conino, Toomy, Gauthier, Leithman, Alario, and Perez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 11, after the period ".", insert in lieu thereof the following:

"It may assign a sitting or retired judge to any court with his consent and with the consent of a majority of the members of the court in which the judge is assigned."

Delegate Conino moved the adoption of the amendment.

Delegate Tate objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Alario  
Anzaione  
Asseff  
Bren  
Conino  
Fayard  
Fowler  
Total—21.

**NAYS**

Delegates—

Mr. Chairman  
Abraham  
Aertker  
Alexander  
Arnette  
Avant  
Badeaux  
Be  
Bergeron  
Blair  
Bollinger  
Brown  
Burns  
Burson  
Casey  
Champagne  
Chatelain  
Chehardy  
LeBlu  
Lennox  
Lowe  
McDaniel  
Miller  
Mire  
Muson  
Plancahrd  
Rachal  
Rayburn  
Robinson  
Roemer  
Sandoz  
Total—94.

Delegates—

Armentor  
Cannon  
Carmouche  
Edwards  
Jenkins  
LeBreton  
Total—17.

**ABSENT**

Delegates—

Leigh  
Martin  
Maubre  
Newton  
Pugh  
Rieck  
Total—6.

And the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Roy to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 17, after the word "civil" delete the remainder of the line and delete lines 18 and 19 in their entirety and insert in lieu thereof the following:

"and criminal cases extends only to questions of law."

Delegate Roy moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

De Blieux  
Dunlap  
Fayard  
Fily  
Fulco  
Gravel  
Total—18.

**NAYS**

Delegates—

Abraham  
Aertker  
Alario  
Alexander  
Arnette  
Asseff  
Avant  
Badeaux  
Be  
Bergeron  
Blair  
Bollinger  
Brown  
Burns  
Burson  
Casey  
Champagne  
Chatelain  
Chehardy  
Guarysco  
Hayes  
Jackson, A.  
Lambert  
LeBlu  
Roy  
Total—21.

Delegates—

Champane  
Aertker  
Alario  
Alexander  
Arnette  
Asseff  
Avant  
Badeaux  
Be  
Bergeron  
Blair  
Bollinger  
Brown  
Burns  
Burson  
Casey  
Chatelain  
Chehardy  
Chantal  
Gravel  
Girr  
Guarisco  
Hardee  
Hayes  
Hernandez  
Jack  
Jackson, A.  
Jackson, J.  
Juneau  
Keen  
Kelly  
Kilpatrick  
Lambert  
Landrum  
Landry, A.  
Landry, E. J.  
Lanier  
Gattera  
Gonn  
Grier  
Ginn  
Ginn  
Gri  
Heine  
Hardee  
Hayes  
Heine  
Hernandez  
Jack  
Jackson, J.  
Juneau  
Keen  
Kelly  
Kilpatrick  
Landrum  
Landry, A.  
Landry, E. J.  
Lanier
30th Days Proceedings—August 15, 1973

Leithman
Lennox
Lowe
McDaniel
Miller
Mire
Munson
Nunz
O'Neil
Ourso
Perez
Perkins
Planchard
Rachal

Total—96.

**ABSENT**

Delegates—
Mr. Chairman
LeBreton
Armentor
Leigh
Cannon
Martin
Carmouche
Mauberret
Edwards
Newton
Jenkins
Pugh

Total—18.

And the amendment was rejected.

Delegate Lanier moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Toomy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Conroy, Toomy, Gauthier, Leithman, Alario and Perez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 12, after the period “,” delete the remainder of the line and delete line 13 in its entirety and insert in lieu thereof the following:

"It may assign a sitting or retired judge to any court with his consent and with the consent of a majority of the members of the court in which the judge is assigned."

Delegate Toomy moved the adoption of the amendment.

Delegate Dennis objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Alario
Alexander
Anzalone
Bel
Conino
Cowen
Dunlap
Fayard
Flory

Total—25.

Delegates—
Mr. Chairman
Abraham
Aertker
Arnette
Asseff
Avant

Badeaux
Bergeron
Blair
Bollinger
Brien
Brown

Burns
Burson
Casey
Champagne
Chatelain
Chehardy

Perkins
Roy
Schmitt
Stephenson
Tapper
Toomy
Ulo
Wisdom

**NAYS**

**DELEGATES**

Leithman
Lennox
Lowe
McDaniel
Miller
Mire
Munson
Nunz
O'Neil
Ourso
Perkins
Planchard
Rachal

LeBreton
LeBlanc
Lowery
McDaniel
Miller
Mire
Munson
Ourso
Hayes
Haynes

Total—84.

**ABSENT**

Delegates—
Mr. Chairman
Armentor
Cannon
Carmouche
Edwards
Jenkins
Landrum
LeBreton
Leigh

Total—23.

And the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Weiss sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Weiss to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 25, after the word “which” and before the word “penalty” delete the words “the death” and insert in lieu thereof the words “a capital crime deterrent.”

Delegate Weiss moved the adoption of the amendment.

Delegate Jack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Abraham
Bollinger
Kean

Landry, E. J.
Lanier

Total—7.

**NAYS**

**DELEGATES**

Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Brien

Brown
Burns
Burson
Casey
Champagne
Chatelain
Chehardy
De Blieux
Dennis
Dennis
Desserts
Deshots
Dew
Dunlap
Elkins
Flory

315
Delegate Tate moved the adoption of the amendment. Delegate Tobias objected.

By a vote of 27 yeas, 62 nays the amendment was rejected.

Delegate Tobias moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Drew to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, between lines 2 and 3 insert the following: 

"(F) In all criminal cases not provided for in subsection (D) of this Section an accused shall have a right of appeal or review, as provided by law."

Delegate Drew moved the adoption of the amendment. Delegate Dennis objected.

By a vote of 60 yeas, 50 nays the amendment was adopted.

Delegate Drew moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennis, on behalf of the Committee on the Judiciary to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, line 24, immediately after the word "of" and before the letter "C" delete the words "Subsection" and insert in lieu thereof the word "Paragraph"

On motion of Delegate Dennis the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 5, was read as amended.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
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<th>Delegates</th>
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<td>Mr. Chairman</td>
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<td>Abraham</td>
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By a vote of 55 yeas and 52 nays the amendment was adopted.

Delegate J. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tate sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Tate to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, line 25, immediately after the word "law" and before the word "has" delete the words "or ordinance"
30th Days Proceedings—August 15, 1973

Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leithman
Lennox

Total—112.

NAYS
Total—9.

ABSENT

Delegates—
Armentor
Burns
Cannon
Carmouche
Chehardy
Edwards
Jenkins

Total—20

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Burson, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions
Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 37—
Introduced by Delegate Burson:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to prohibit amendments in conflict with Sections previously adopted by the convention.

Read.
Lies over under the rules.

DELEGATE RESOLUTION No. 38—
Introduced by Delegate Burson:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to prohibit amendments in conflict with Sections previously adopted by the convention.

Read.
Lies over under the rules.

Motion

On motion of Delegate Stagg, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

COMMITTEE PROPOSAL No. 22—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegate Abraham, Alexander, Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall, and Tapper:
A PROPOSAL
Making provisions for a code of ethics and the Louisiana Board of Ethics.

Read.
Lies over under the rules.

COMMITTEE PROPOSAL No. 23—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegate Abraham, Arnette, Brien, Denney, Gravel, Stovall, and Tapper:
A PROPOSAL
Prohibiting dual employment and dual officeholding in state and local government.

Read.
Lies over under the rules.

Leave of Absence

Delegate Newton 1—day.
Delegate Segura 2—days.
Delegate Jenkins 1—day.
Delegate Pugh 1—day.

Adjournment

Delegate Reeves moved that the Convention do now adjourn until Thursday, August 16, 1973 at 9:00 o'clock A. M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, August 16, 1973 at 9:00 o'clock A. M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Thursday, August 16, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o’clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman  Gauthier  Planchard
Abraham  Giarrusso  Pugh
Aeriker  Ginn  Rachal
Alario  Gravel  Rayburn
Alexander  Gribble  Reeves
Anazalone  Guarisco  Ricke
Arnette  Hardee  Robinson
Aseff  Hayes  Roemer
Avant  Haynes  Roy
Badeaux  Heine  Sandoz
Bel  Hernandez  Schmitt
Bergeron  Jack  Segura
Blair  Jackson, A.  Shannon
Bollinger  Jackson, J.  Silverbrow
Brien  Jenkins  Singleton
Brown  Juneau  Smith
Burns  Keen  Soniat
Burns  Kelly  Stagg
Carmouche  Kilbourne  Stephenson
Casey  Kilpatrick  Stinson
Champagne  Lambert  Stovall
Chatelain  Landrum  Sutherland
Chehardy  Landry, A.  Tapper
Conino  Landry, E. J.  Toste
Corboy  Lanier  Thistlethwaite
Corne  LeBlanc  Thompson
Cowan  LeBreton  Tobias
D’Gerolamo  LeBlanc  Toca
De Bieaux  LeBlanc  Toupin
Denney  Lennox  Ull
Dennis  Lowe  Velazquez
Desholds  McDaniel  V секр
Drew  Mabry  Vick
Dunlap  Miller  Wall
Duval  Mire  Warren
Elkins  Munson  Weiss
Elkins  Newton  Willis
Elkins  Nunez  Winchester
Fontenot  O’Neill  Wisam
Fowler  Perez  Womack
Fulco  Perkins  Zervigon

Total—123.

ABSENT

Delegates—
Armentor  Edwards  Slay
Cannon  Martin  Taylor
Derbes  Ousso  Triche
Total—9.

The Chairman announced that there were 123 members present and a quorum.

Prayer

Prayer was offered by Delegate De Bieaux.

Pledge of Allegiance

Delegate Heine led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Conino, the reading of the Journal was dispensed with.

On motion of Delegate Caino, the Journal of yesterday was adopted.

Morning Hour

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE RESOLUTION No. 37—
Introduced by Delegate Burson:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to add a new Rule to require committee action on any proposed new Section to a Committee Proposal.
Read.

Under the Rules referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 38—
Introduced by Delegate Burson:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to prohibit amendments in conflict with Sections previously adopted by the convention.
Read.

Under the Rules referred to the Committee on Rules, Credentials and Ethics.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 22—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall, and Tupper:
A PROPOSAL
Making provisions for a code of ethics and the Louisiana Board of Ethics.
Read.

Under the Rules referred to the Committee on the Executive Department.

COMMITTEE PROPOSAL No. 23—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Arnette, Brien, Denney, Gravel, Stovall, and Tupper:
A PROPOSAL
Prohibiting dual employment and dual officeholding in state and local government.
Read.

Under the Rules referred to the Committee on the Executive Department.

Unfinished Business

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:


### Proposals

**Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 21**

Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary, and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ours, Sandor, Tate and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL

Making provisions for the judiciary branch of government.

Read.

The chairman announced that the Convention had under consideration the above proposal when it adjourned on Wednesday, which was taken up and acted upon as follows:

Section 6. Supreme Court; the Chief Justice

Section 6. (A) When a vacancy in the office of chief justice occurs, the judge oldest in point of service on the court, below the age of sixty-five years, shall succeed to the office.

(B) The chief justice is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court.

Read.

Delegate Bollinger sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bollinger to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 8, after “court,” and before the word “shall” delete the words “below the age of sixty-five years,”

Delegate Bollinger moved the adoption of the amendment.

Delegate Dennis objected.

By a vote of 66 yeas, 48 nays the amendment was adopted.

Delegate Bollinger moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Brown sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Brown to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 4 through 7 both inclusive in their entirety and insert in lieu thereof the following:

“Section 6. (A) The supreme court shall elect from its members a chief justice.”

Delegate Brown moved the adoption of the amendment.

Delegate Womack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Grier</td>
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<td>Brown</td>
<td>Hernandez</td>
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<td>Burns</td>
<td>Jack</td>
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<td>Champagne</td>
<td>Jackson, A.</td>
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<td>Chatelain</td>
<td>Jackson, J.</td>
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<td>Conino</td>
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<td>D'Gerolamo</td>
<td>Kelly</td>
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<td>Dennis</td>
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<td>Faysard</td>
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<td>Gauthier</td>
<td>Rachel</td>
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<td>Gin</td>
<td>Reeves</td>
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<td>Gravel</td>
<td>Roemer</td>
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<td>Total—44.</td>
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<thead>
<tr>
<th>Delegates—</th>
<th>Nays</th>
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<tr>
<td>Abraham</td>
<td>Drew</td>
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<td>Aeriwer</td>
<td>Duval</td>
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<td>Alario</td>
<td>Elkins</td>
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<td>Alexander</td>
<td>Flory</td>
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<td>Anzalone</td>
<td>Fowler</td>
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<td>Arnette</td>
<td>Giarruso</td>
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<td>Asseff</td>
<td>Guiseppe</td>
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<td>Avant</td>
<td>Hardee</td>
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<td>Badeaux</td>
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<td>Bel</td>
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<td>Bergeron</td>
<td>Kean</td>
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<td>Blair</td>
<td>Kilbourne</td>
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<td>Bollinger</td>
<td>Landry, A.</td>
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<td>Brijen</td>
<td>Landry, E. J.</td>
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<td>Burns</td>
<td>Lanier</td>
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<td>Carmouche</td>
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<td>Casey</td>
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<td>De Blieux</td>
<td>Mauberret</td>
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<td>Dennery</td>
<td>Miller</td>
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<td>Deshotels</td>
<td>Total—71.</td>
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**ABSENT**

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<tr>
<th>Delegates—</th>
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<td>Armentor</td>
<td>LeBreton</td>
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<td>Cannon</td>
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<td>Derbes</td>
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<td>Haynes</td>
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<td>Jenkins</td>
<td>Robinson</td>
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<td>Total—17.</td>
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And the amendment was rejected.

Delegate Bollinger moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Landry sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates A. Landry, Lanier, Toomy, Alario, Leithman and Conin to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 9, immediately after the word “the” and before the words “of the” delete the words “judicial system” and insert in lieu thereof “supreme court.”

Delegate A. Landry moved the adoption of the amendment.

Delegate Tate objected.

By a vote of 54 yeas, 60 nays the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
FLOOR AMENDMENT

Amendment proposed by Delegate Gravel, Rayburn and Blair to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 15, after the word “duties” and before the word “and” insert a period “.” and delete the remainder of the line.

Delegate Gravel moved the adoption of the amendment.

Delegate Dennis objected.

By a vote of 94 yeas, 21 nays the amendment was adopted.

Delegate Blair moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 7, was read as amended.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—
Mr. Chairman
Abraham
Aertker
Alexander
Arnette
Assett
Avant
Badeaux
Bel
Bergeron
Blair
Brien
Brown
Burns
Burton
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Blieux
Dennery
Dennis
DeShotel
Drew
Dunlap
Elkins
Flory
Fontenot
Total—101.

Delegates—
Alario
Anzalone
Bollinger
Bouvier
Fayard
Total—15.

ABSENT

Delegates—
Armentor
Cannon
Derbes
Edwards
Haynes
Jenkins
Total—16.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 7. Supreme Court; Judicial Administrator, Clerks and Staff

Section 7. The supreme court has authority to select a judicial administrator, its clerks, and other personnel, and prescribe their duties and compensation.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

...
And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 8. Courts of Appeal; Panels; Number Necessary to Decision; Terms

Section 8. The state shall be divided into at least four circuits, with one court of appeal in each circuit. Each court shall sit in panels of at least three judges selected according to rules adopted by the court. A majority of the judges sitting in a case must concur to render judgment. The term of a court of appeal judge shall be twelve years.

FLOOR AMENDMENT

Amendment proposed by Delegates Lanier, Alario, Deshotels, and Reeves to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 23, after the words “shall be” and before the word “years” delete the word “twelve” and insert in lieu thereof the word “ten”

Motion

Delegate Thompson moved the previous question on the amendment.

Delegate Weiss objected.

By a vote of 60 yeas and 47 nays the previous question was ordered.

Delegate Lanier moved the adoption of the amendment.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman, Abraham, Alario, Alexander, Anzalone, Arnette, Assen, Avant, Badius, Blair, Bollinger, Bren, Brown, Burns, Carmouche, Champagne, Chatelain, Conroy, Corne, Cowen, Deshotels, Dunlap, Duval, Eikins, Fayard, Flory

Total—78.

NAYS

Delegates—
Bel, Bergeron, Burson, Casey, Chehardy, Conino, D’Gerolamo, De Bleeux, Dennery, Dennis, Drew, Gauthier, Girrussio, Gravel

Total—40.

ABSENT

Delegates—
Aecker, Armentor, Cannon, Derbes, Edwards

Total—14.

And the amendment was adopted.

Delegate Alario moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Tapper objected to tabling the motion to reconsider.

By a vote of 74 yeas and 41 nays the motion to reconsider was tabbed.

Delegate Alario sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Alario, Deshotels, and Reeves to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 23, after the words “shall be” and before the word “years” delete the word “twelve” and insert in lieu thereof the word “eight” and strike out Floor Amendment No. 1 proposed by Delegate Alario and adopted by the Convention August 16, 1973.

Delegate Alario moved the adoption of the amendment.

Delegate Stinson objected.

By a vote of 14 yeas and 84 nays the amendment was rejected.

Delegate DeBleeux moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Lanier, Duval, Burson, Roy, and Womack to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 22, after the word and punctuation “judgment,” and before the word “The” insert the following: “However, when the judgment of the district court is to be modified or reversed, and one judge dissent, the case shall be reargued, before a panel of at least five judges, prior to rendition of judgment, and a majority must concur to render judgment.”
Delegate Roy moved the adoption of the amendment.

Delegate Tate objected.

By a vote of 66 yeas and 46 nays the amendment was adopted.

Delegate Roy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Avant to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 22, after the word and punctuation “judgment,” and before the word “The” insert the following: “However, when the judgment of the district court is to be modified or reversed, and one judge dissent, the case shall be reargued, before a panel of at least five judges elected to the court, prior to rendition of judgment, and a majority of them must concur to render judgment.”

AMENDMENT No. 2—

On page 3, line 22, strike out Floor Amendment No. 1 proposed by Delegate Lanier and adopted by the Convention on August 16, 1973.

Delegate Avant moved the adoption of the amendments.

Delegate Dennis objected.

By a vote of 7 yeas and 105 nays the amendments were rejected.

Delegate Dennis moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Pugh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—


AMENDMENT No. 2—

On page 3, line 22, after the word and punctuation “judgment,” and before the word “The” insert the following: “However, when the judgment of the district court is to be modified or reversed, and one judge dissent, the court shall grant a rehearing, before the court en banc, if requested by either party.”

Delegate Pugh moved the adoption of the amendments.

Delegate Denner moved object.

By a vote of 24 yeas and 90 nays the amendments were rejected.

Delegate Denner moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 8, was read as amend-

co.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>DELEGATES</th>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Ginn.</td>
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<td>Abraham</td>
<td>Gravel</td>
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<td>Alario</td>
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<td>Alexander</td>
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<td>Bel</td>
<td>Hernandez</td>
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<td>Bergeron</td>
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<td>Blair</td>
<td>Jackson, A.</td>
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<td>Bollinger</td>
<td>Jackson, J.</td>
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<td>Brien</td>
<td>Jenkins</td>
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<td>Brown</td>
<td>Kelly</td>
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<td>Burns</td>
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<td>Champagne</td>
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<td>Chateilain</td>
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<td>Chehardy</td>
<td>Landry, A.</td>
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<td>Conino</td>
<td>Landry, E. J.</td>
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<td>Cowen</td>
<td>Lanier</td>
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<td>D’Gerolamo</td>
<td>LeBlanc</td>
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<td>Dennis</td>
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<td>Deshotels</td>
<td>Leilham</td>
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<tr>
<td>Carrouche</td>
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<tr>
<td>Derbes</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and to lay the motion to reconsider on the table.

Delegate Tobias objected to tabling the motion to reconsider.

By a vote 80 yeas and 15 nays the motion to reconsider was tabbed.

Section 9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts, with at least one judge elected from each. One or more judges may be elected at large from within the circuit. The present circuits and districts and the number of judges as elected in each circuit are retained, subject to change by two-thirds vote of the elected members in each house of the legislature.
Delegate Miller moved a floor amendment, which was as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Miller to Committee Proposal No. 21 by Delegate Dennis, et al. Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, at the end of line 26, delete the words “One or” and at the beginning of line 27, delete the words “more judges may” and insert in lieu thereof the following: “After January 1, 1975, no judge shall.”

Delegate Miller moved the adoption of the amendment.

Delegate Dennis objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
</table>
| Abraham   | Gravel
| Alario    | Grier
| Arnette   | Guarisco
| Assiff    | Hayes
| Badeaux   | Haynes
| Blair     | Jackson, J.
| Brien     | Janeau
| Brown     | Keen
| Buson     | Landrum
| Champagne | Landry, E. J.
| Chatain   | Lanier
| Corne     | LeBlu
| Cowen     | Leigh
| Dennery   | Lennox
| Deshotels | McDaniel
| Dunlap    | Miller
| Duval     | Mire
| Elkins    | Newton
| Fontenot  | Nunez
| Fulco     | Perez
| Giannioso | Perkins

Total—63.

**NAYS**

<table>
<thead>
<tr>
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</thead>
</table>
| Anzalone  | Sandoz
| Avant     | Smith
| Bel       | Stagg
| Bergeron  | Stinson
| Bollinger | Stovall
| Burns     | Sutherland
| Casey     | Tate
| Chehardy  | Thistlethwaite
| Conio     | Toca
| Conroy    | Tooey
| Denley    | Vesich
| Dennis    | Vick
| Deshotels | Weiss
| Drew      | Winchester
| Duval     | Zervigon
| Elkins    | 
| Fayard    | 
| Floyr     | 
| Gauthier  | 
| Ginn      | 

Total—32.

**ABSENT**

<table>
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<tr>
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<th></th>
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</thead>
</table>
| Derbes    | Shannon
| Edwards   | Slay
| Fowler    | Taylor
| Gauthier  | Taylor
| Cannon    | Triche
| Carmouche | Womack
| Derbes    | 

Total—14.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 10. Courts of Appeal; Appellate and Supervisory**

Section 10. (A) Except in those cases appellable to the supreme court and as otherwise provided in this constitu-
tion, a court of appeal has appellate jurisdiction of all civil cases decided within its circuit. It has appellate jurisdiction of all matters appealed from the family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over all cases in which an appeal would lie to that court.

(B) Except as limited to questions of law by this constitution or as provided by law in the case of review of administrative agency determinations, its appellate jurisdiction extends to law and facts.

Read.

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins, Burson, Avant, Denneny and Guarisco to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, delete lines 10 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Except as limited to questions of law by this constitution, its appellate jurisdiction extends to law and facts."

Delegate Jenkins moved the adoption of the amendment.

Delegate Flory objected.

By a vote of 49 yea and 58 nays the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, between lines 13 and 14, add the following paragraph:

"(C) The legislature may provide for administrative agencies and authorize such agencies to make factual determinations which shall not be subject to review if supported by competent evidence following notice and hearing."

Delegate Avant moved the adoption of the amendment.

Delegate Dennis objected.

By a vote of 10 yea and 101 nays the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

**NAYS**

Delegate Guarisco — Total—1.

Delegate Avant — Total—18.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 11. Courts of Appeal; Certification to Supreme Court; Determination

Section 11. A court of appeal may certify any question of law before it to the supreme court, whereupon the supreme court may give its binding instruction, or consider and decide the case upon the whole record.

Read.

**Passage**

Delegate Dennis moved the passage of the Section.
Delegate Guarisco sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Guarisco to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 24, after the word “office” insert a period “.” and delete the remainder of the line and delete line 25 in its entirety.

Delegate Guarisco moved the adoption of the amendment.

Delegate Dennis objected.

By a vote of 12 yea and 99 nays the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 21, after the word “Section 12.” and before the word “When” insert the following:

“The presiding or senior judge of each of the circuit courts of appeal shall be the chief judge.”

Delegate Pugh moved the adoption of the amendment.

Delegate Chatelain objected.

By a vote of 29 yea and 77 nays the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Dennis to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 21, after the words “Section 12.” delete the remainder of the line and delete line 22 through 25 and insert in lieu thereof the following:

“There shall be a chief judge of each court of appeal who shall be the judge oldest in point of service on the court and who shall administer the court subject to rules adopted by the Court.”

**AMENDMENT No. 2—**

Strike out Floor Amendment No. 1 proposed by Delegate Kean and adopted by the Convention on August 16, 1973.

On motion of Delegate Dennis the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 12, was read, as amended.

Delegate Dennis moved the passage of the Section.
ROLL CALL

The roll was called with the following result:

**YEAS**

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<tr>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
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<tr>
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<td>Assen</td>
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<td>Badeaux</td>
<td>Heine</td>
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<td>D'Gerolamo</td>
<td>LeBreton</td>
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<tr>
<td>De Blieux</td>
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<td>Denner</td>
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<tr>
<td>Dennis</td>
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<td>Miller</td>
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Total—112.

**NAYS**

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</tbody>
</table>

Total—0.

And the Chair declared that the above Section was passed.

Delegated Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 13. Courts of Appeal; Clerks and Staff

Section 13. Each court of appeal has authority to select its clerk and other personnel and prescribe their duties and compensation.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

**Floor Amendment**

Amendment proposed by Delegate Gravel, Rayburn and Blair to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprint as engrossed proposal as follows:

AMENDMENT No. 1—

On page 4, line 28, immediately after the word “duties” insert a period “.” and delete the remainder of the line and delete line 29 in its entirety.

On motion of Delegate Gravel the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 13, was read, as amended.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

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<tbody>
<tr>
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Total—113.

**NAYS**

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</tbody>
</table>

Total—19.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.
Section 14. District Courts; Judicial Districts

Section 14. The state shall be divided into judicial districts, each composed of one or more parishes and served by one or more district judges.

Read.

Passage

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegates—

<p>| | | | |</p>
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<th></th>
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<td>Drew</td>
<td>McDaniel</td>
<td>Vick</td>
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<tr>
<td>Dunlap</td>
<td>Mauberret</td>
<td>Wall</td>
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<td>Duval</td>
<td>Miller</td>
<td>Warren</td>
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<td>Elkins</td>
<td>Mire</td>
<td>Weiss</td>
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<td>Fayard</td>
<td>Munson</td>
<td>Willis</td>
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<td>Florio</td>
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<td>Winchester</td>
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<td>Fontenot</td>
<td>Nunez</td>
<td>Wisham</td>
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<tr>
<td>Fowler</td>
<td>O'Neill</td>
<td>Womack</td>
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<tr>
<td>Fulco</td>
<td>Perez</td>
<td>Zervigon</td>
<td></td>
</tr>
<tr>
<td>Gauthier</td>
<td>Perkins</td>
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</tbody>
</table>

Total—118.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair

Motion

On motion of Delegate Dennis, the Convention altered the Order of Business to take up other orders of business at this time.

COMMITTEE NOTICE

Delegate Lambert, chairman of the Committee on Natural Resources and Environment, sent up the following notice:

The Committee on Natural Resources and Environment will meet on Wednesday, August 22, 1973, at 6:00 o'clock P.M. in Committee Room No. 5 and will consider the following agenda:

AGENDA

1. To take final action on Committee Proposal No. 16, Section by Section.
2. To hear witnesses wishing to be heard.

Respectfully submitted,

LOUIS LAMBERT,
Chairman of the Committee on Natural Resources and Environment

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence

Delegate Martin—1 day.
Delegate Taylor—1 day.
Delegate Aertker—1/2 day.
Delegate Mire—1/2 day.
Delegate Derbes—1 day.

Adjournment

Delegate Murson moved that the Convention to now adjourn until Friday, August 17, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, August 17, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL OF THE
CONSTITUTIONAL CONVENTION OF 1973
OF THE
STATE OF LOUISIANA
THIRTY-SECOND DAY’S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature
Friday, August 17, 1973, Baton Rouge, La.
The Convention was called to order at 9:00 A.M., by
Hon. E. L. Henry, Chairman of the Convention.
ROLL CALL
The roll being called, the following delegates answered
to their names:

PRESENT
Delegate—
Mr. Chairman
Abraham
Aecker
Alario
Alexander
Anzalone
Arnette
Aseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Busson
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corno
Cowan
D’Gerolamo
De Blieux
Dennercy
Dennis
Derbes
Deshotel
Drew
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco
Gauthier
Total—124.

ABSENT
Delegates—
Armentor
Cannon
Carmouche
Total—8.
The Chairman announced that there were 124 members
present and a quorum.

Prayer
Prayer was offered by Delegate Stovall.

Pledge of Allegiance
Delegate Soniat led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal
On motion of Delegate Ullo, the reading of the Journal
was dispensed with.

Morning Hour
Unfinished Business
The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday was
taken up and acted on:

Proposals
Delegate and Committee
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of
the Committee on the Judiciary, and Delegates Avant, Bel,
Bergeron, Burns, Deshotel, Drew, Gauthier, Kelly, Kil-
bourne, Landry, Martin, Ousso, Sandor, Tate and Vesich
(A Substitute for Committee Proposal No. 6):

A PROPOSAL
Making provisions for the judiciary branch of government
Read.
The Chairman announced that the Convention had under consideration the above Proposal when it adjourned on Thursday, August 16, 1973, which was taken up and acted upon as follows:

Section 15. Courts; Continued; Jurisdiction; Judicial Districts Changes; Terms

Section 15. (A) The district, parish, city, family, and juvenile courts existing at the time of the adoption of this constitution are retained. Except as provided in Section 35 of this Article, the legislature may abolish or merge trial courts of limited jurisdiction subject to the limitations in Sections 16 and 21 of this Article. Except as provided in Section 33 of this Article, the legislature may establish trial courts of limited jurisdiction which shall have parish-wide territorial jurisdiction and subject matter jurisdiction which shall be uniform throughout the state. The office of city marshal is continued until such time as the city court he serves is abolished by the legislature.

(B) The judicial districts existing at the time of the adoption of this constitution are retained. The legislature, by a majority vote of the elected members of each house, with approval in a referendum in each district or parish affected, may establish or merge judicial districts, subject to the limitations of Section 21 of this Article.

(C) The term of district judge shall be six years. Terms established for judgeships existing at the time of the adoption of this constitution are retained; however, the legislature by a majority vote of the elected members of each house, with approval in a referendum in the parish affected, may reduce the terms of district judges in a parish to not less than six years.

Read.

Vice Chairman Roy in the Chair
Delegate Dennis sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Dennis to Committee Proposal No. 21 by Delegate Dennis, et al.
Delegate Dennis moved the adoption of the amendment.
Delegate Avant objected.

By a vote of 103 yeas and 5 nays the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate D'Gerolamo sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate D'Gerolamo to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, line 4, immediately after the word "parish" and the comma "," and before the word "city" insert the word and punctuation "magistrate."

Delegate D'Gerolamo moved the adoption of the amendment.
Delegate Avant objected.

By a vote of 88 yeas and 20 nays the amendment was adopted.

Delegate D'Gerolamo moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Nunez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Nunez and Toomy to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, strike out lines 3 through 15, inclusive, and in their entirety and strike out Floor Amendment No. 1 proposed by Delegate Dennis and adopted by the Convention on August 17, 1973 and strike out Floor Amendment No. 1 proposed by Delegate D'Gerolamo and adopted by the Convention on August 17, 1973, and insert in lieu thereof the following:

"Section 15. (A) The district, parish, city, family, and juvenile courts existing at the time of the adoption of this constitution are retained. Except as provided in Section 35 of this Article, the legislature, by a majority vote of the elected members of each house, and with approval in a referendum in each district, parish, or portion affected may abolish or merge trial courts of limited or specialized jurisdiction subject to the limitations in Sections 16 and 21 of this Article. Except as provided in Section 35 of this Article, the legislature may establish trial courts of limited jurisdiction which shall have parishwide territorial jurisdiction and subject matter jurisdiction which shall be uniform throughout the state. The office of city marshal is continued until such time as the city court he serves is abolished by the legislature."

Delegate Bollinger moved the previous question on the amendment.

Delegate Avant objected.

By a vote of 27 yeas and 76 nays the Convention refused to order the previous question.
Delegate Nunez moved the adoption of the amendment.
Delegate Burson objected.

By a vote of 35 yeas and 81 nays the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

Delegate Tobias sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Tobias to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, line 13, immediately after the period "." delete the remainder of the line and delete lines 14 and 15 in their entirety.

Delegate Tobias moved the adoption of the amendment.
Delegate Bel objected.

By a vote of 40 yeas and 66 nays the amendment was rejected.

Delegate Bel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Tobias, Gauthier, Willis, Lennox, Sutherland and Velazquez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, line 6, immediately after the period "." insert the following: "Notwithstanding any provision of this constitution to the contrary, there shall be no civil district courts or criminal district courts, but a district court may sit in specialized divisions as provided by rule of court."

Delegate Tobias moved the adoption of the amendment.
Delegate Alexander objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Abraham</td>
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<td>Blair</td>
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<td>Bollinger</td>
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<td>Brown</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Fulco</td>
<td>Lennox</td>
<td>Miller</td>
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<td>Gauthier</td>
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<td>O'Neill</td>
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<td>Gravel</td>
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<td>Guirisco</td>
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<td>Planchar</td>
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<td>Hardee</td>
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<td>Rachal</td>
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<td>Hayes</td>
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<td>Reeves</td>
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<td>Haynes</td>
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<td>Roemer</td>
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<td>Jackson, A.</td>
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<td>Stovall</td>
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<td>Tate</td>
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<td>329</td>
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</tbody>
</table>
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Abraham</td>
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<tr>
<td>Aertker</td>
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<tr>
<td>Arnette</td>
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<td>Asseff</td>
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<td>Bollinger</td>
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<td>Brieni</td>
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<tr>
<td>Brown</td>
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<td>Champagne</td>
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<td>Chaisen</td>
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<td>Corroy</td>
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<td>Conroy</td>
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<td>Cowen</td>
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<td>Derbes</td>
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<td>Dunlap</td>
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<td>Duval</td>
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<td>Elkins</td>
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<td>Fayard</td>
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<td>Portenot</td>
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<tr>
<td>Pulco</td>
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<tr>
<td>Gauthier</td>
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</table>

Total—68.

**NAYS**

<table>
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<tr>
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<tbody>
<tr>
<td>Velazquez</td>
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<td>Wall</td>
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<td>Willis</td>
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<tr>
<td>Roy</td>
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<td>Schmitt</td>
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<td>Aertker</td>
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<td>Bollinger</td>
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<td>Brieni</td>
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<td>Brown</td>
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<td>Duval</td>
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<td>Fayard</td>
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<td>Portenot</td>
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<tr>
<td>Gauthier</td>
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Total—46.

**ABSENT**

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<tr>
<td>Armentor</td>
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<td>Cannon</td>
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<td>Carmanche</td>
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<tr>
<td>De Blieux</td>
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<tr>
<td>Dennis</td>
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<tr>
<td>Edwards</td>
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</tbody>
</table>

Total—18.

And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Vice Chairman Roy in the Chair**

Delegate Abraham sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Abraham to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 5, line 6, immediately after the period "." delete the remainder of the line

**AMENDMENT No. 2**

On page 5, line 7, at the beginning of the line before the word "legislature" delete the words and punctuation of this Article, the" and insert in lieu thereof the word "the"

**AMENDMENT No. 3**

On page 5, line 9, immediately after the period "." delete the remainder of the line

**AMENDMENT No. 4**

On page 5, line 10, at the beginning of the line immediately before the word "legislature" delete the words and punctuation "Section 35 of this Article, the" and insert in lieu there the word "The"

Delegate Abraham moved the adoption of the amendment.

Delegate Vesich objected.

And the amendments were adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Duval sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 5, line 18, at the end of the line delete the word "with" and delete line 19 in its entirety

Delegate Duval moved the adoption of the amendment.

Delegate Avant objected.
By a vote of 34 yeas and 82 nays the amendment was rejected.

Delegate Tapper moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Perez, Kelly and Avant to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 5, line 19, between the words “district” and “parish” delete the word “or” and insert in lieu thereof the word “and”

AMENDMENT No. 2—
On page 5, line 20, between the words “establish” and “or” insert the following: “, divide,”

Delegate Perez moved the adoption of the amendment.

Delegate Zervigon objected.

By a vote of 92 yeas and 18 nays the amendments were adopted.

Delegate Perez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 5, at the end of line 22 delete the word “Terms” and delete lines 23 through 28, both inclusive, in their entirety

Delegate Willis moved the adoption of the amendment.

Delegate Zervigon objected.

A record vote was asked for and ordered by the Convention.

### ROLL CALL

The roll was called with the following result:

#### YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Grier</td>
</tr>
<tr>
<td>Abraham</td>
<td>Guariose</td>
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<td>Aertker</td>
<td>Hardee</td>
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<td>Alario</td>
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<td>Hernandez</td>
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<td>Jack</td>
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<td>Jackson, A.</td>
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<td>Brown</td>
<td>Kean</td>
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<td>Burns</td>
<td>Kelly</td>
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<td>Conroy</td>
<td>Lambert</td>
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<td>Corne</td>
<td>Landrum</td>
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<td>Cowen</td>
<td>Landry, A.</td>
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<tr>
<td>De Blieux</td>
<td>Landry, E. J.</td>
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<tr>
<td>Dennis</td>
<td>Lanier</td>
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<td>Drew</td>
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<td>McDaniel</td>
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<td>Fowler</td>
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</table>

**Total—96.**

#### NAYS

<table>
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<tbody>
<tr>
<td>Alexander</td>
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<td>Bel</td>
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<tr>
<td>Bergeron</td>
<td>Deshotels</td>
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<td>Casey</td>
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**Total—20.**

#### ABSENT

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<tbody>
<tr>
<td>Armentor</td>
<td>Oursu</td>
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<tr>
<td>Burson</td>
<td>Planchard</td>
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<td>Cannon</td>
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<tr>
<td>Edwards</td>
<td>Shannon</td>
</tr>
<tr>
<td>Martin</td>
<td>Slay</td>
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</tbody>
</table>

**Total—16.**

And the amendment was adopted.

Delegate Willis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

### Motion

On motion of Delegate Wall the remarks of Delegate Willis were ordered inserted in the official Journal as follows:

Silverberg, McDaniel, Leigh, Carmouche, Kilborne, Burns, Jenkins, Newton, Shannon and Segura to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 5, at the end of line 22 delete the word “Terms” and delete lines 23 through 28, both inclusive, in their entirety

Delegate Willis moved the adoption of the amendment.

Delegate Zervigon objected.

A record vote was asked for and ordered by the Convention.
Opening Remarks

Mr. Chairman,

Gentle Ladies and Gentlemen:

Notwithstanding the gallant support of the coauthors of this amendment, assuring its approval, I cannot be studious of brevity with a full heart. It is the duty which pursued me to this podium. I do not appeal to you from lip to ear; I appeal from heart to heart.

I rise, with reluctance, to express my aversion to a sentence in an article of the Judiciary Plan for which we are so much obliged to the honorable men who laid it before us.

After you attentively listened to my prayer this morn, you stood at attention with hand over heart and repeated a Pledge of Allegiance to the red, white, and blue bunting on this platform, which is a symbol of our union, and ended by saying "... Justice For All." This you said. Did you mean it? With the virtuous education and dedication you have, I warrant you did, because no time is good time to tell ourselves or each other an untruth, which immediately compels me to recall the final advice of Polonius to his son, Laertes, upon the latter's departure, in the tragedy of the Prince of Denmark by the Bard of Avon:

"This above all: To thine own self be true, and it must follow, as the night the day, Thou canst not then be false to any man."

WILLIAM SHAKESPEARE, HAMLET I, iii. 90.

Especially, in this time, heed God's monitor in your bosom—conscience. On this side of the grave, there is no greater luxury of enjoyment than a clear conscience and sense of duty performed. Righteousness is always an evidence of greatness and honor. Wrong is the property of small souls. Your loyalty is due to no mortal man in authoring this Constitution; it is due to good government—Justice For All.

I ask you to please your constituents and so the public at large. If you do what is right, the consequences are nothing and you clothe yourself in armor that the arrows of conscience can never penetrate, and only nature is responsible; if you do wrong, you are responsible for all the consequences to the last sigh.

Much evidence was heard by the Committee on the Judiciary. The totality of that sponsoring the disparity of terms of district judges whereby those serving within the crescent of this mighty and muddy Mississippi, a block away, should have double the terms of all other judges in Louisiana is that campaign costs are higher in that half-moon area. If you project that argument vir-a-virs other officials in any branch of our government, you will see how judicious it is to measure the terms of officials by the costs of campaigns. So, I do not belabor the point. Although a majority of the committee embraced the argument from that evidence, I am inclined to a contrary opinion, because the term of a judge should not depend upon its price or the size, population or configuration of an area.

I cannot admonish you enough that equal judges should have equal terms and that the bad habit of history, another argument for disparity of terms, should not be repeated in this Constitution in total violation of Justice For All. I am sent to dissent from the proposal of the committee to which I have been assigned, but my heart is full of contempt for injustice, so I must exclaim:

"Give sorrow words; the grief that does not speak whispers the o'er-trodden heart and bids it break."

WILLIAM SHAKESPEARE, MACBETH IV, iii. 209.

I envy the happy moment so soon to arrive when you will restore justice to our district judges by carpeting our voting board in green the color most favored by God in carpeting our world.

And therof if there are no further speakers I move the amendment and am content with the satisfaction of having poured my heart and given my frank opinion and done my duty.

Thank you.

Closing Remarks

In the name of justice, I adjure you to deal fairly with judges. Be loyal to justice. Beware you do not betray it or our district judges. They await your decision with composure and fortitude and with union, justice, and confidence, the three words written on our state seal which is lighted in front of this podium.

You may not, you must not deprive justice to judges. My calm analysis of the evidence supplied the committee on the Judiciary demonstrates to me that there was no valid evidence to support unequal terms for equal judges. Why is equality so difficult to understand or to live by?

I plead for our district judges nothing more than that justice which they or you would mete out to the humblest citizen: Equal Justice. If the equality of sense of justice, then justice requires equality. That is no more arguable than the ten commandments.

I am calm and confident that you will lean on your daily pledge to old glory and glorify your vote for justice for all citizens and receive the blessings and honor of our people by so doing. I am equally confident that you will vote for union, justice, and confidence as I am that you will vote for justice for all, including our district judges.

Because I wish our decision remembered with undiminished interest, I request the vote on the amendment to be recorded, Mr. Chairman.

Delegate Toomy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Toomy, Gauthier, Toca, Ullo, Leithman, Alario, Conino, D'Gerolamo, Chehardy, Nunez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1

On page 5, line 22, immediately after the word "district" and before the word "shall" delete the word "judge" and insert in lieu thereof the words "and parish judges"

Delegate Toomy moved the adoption of the amendment.

Delegate Schmitt objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham—

Aertker

Alario

Anzicre

Avant

Badeaux

Bel

Bergeron

Blair

Bollinger

Brown

Burns

Cassey

Chatelain

Chehardy

Conino

Conroy

Corne

Cowan

D'Gerolamo

De Blieux

Demery

Dennis

Derebe

Desbont

Drew

Dunlap

Elkins

Fayard

Flory

Fowler

Fulco

Gauthier

Total—101.

Giarrusso

Ginn

Gravel

Grier

Gunrrise

Hardee

Hayes

Haynes

Horne

Hernandez

Jack

Jackson, A.

Jenkins

Junesu

Kean

Kilbourne

Kilpatrick

Lansbert

Lanry, A.

Lanry, E. J.

Lanier

LeBlanc

LeBrecht

Leigh

Leithman

Lennox

Lowe

MedDaniel

Mauberreut

Miller

Mire

Monson

Newton

Nunez

O'Neill

Perez

Perkins

Rayburn

Percy

Robinson

Roemer

Roy

Segura

Silverberg

Singletary

Smith

Stang

Stephenson

Stinson

Stovall

Tapper

Tate

Thaddeuswale

Thompson

Tobias

Toca

Toomy

Ullo

Velaquz

Vesich

Wall

Warren

Weiss

Willis

Winchester

Wisnham

Zervigon
32nd Days Proceedings—August 17, 1973

And the amendment was adopted.

Delegate Toomy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Juneau sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Juneau and Kilbourne to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 5, between lines 28 and 29, add the following:

"(D) The legislature may increase or decrease the number of judges in any judicial district by a two-thirds vote of the elected membership of each house."

Delegate Juneau moved the adoption of the amendment.

Delegate Singletary objected.

By a vote of 86 yeas and 23 nays the amendment was adopted.

Delegate Juneau moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 15, was read, as amended.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman—Chehardy—Powler
Abraham—Conno—Fulco
Alcot—Conroy—Gauthier
Alario—Corne—Giarrusso
Alexander—Cowan—Grinn
Anzalone—De Geronimo—Gravel
Arnette—De Blieux—Grier
Asseff—Demery—Guarisco
Avant—Dero—Hardee
Badeaux—Deshotes—Hayes
Bel—Drew—Haynes
Bergen—Dunlap—Henderson
Bollinger—Duvall—Jack
Brown—Elkins—Jackson, A.
Burns—Fayard—Jackson, J.
Champagne—Flory—Jenkins
Chatelain—Fontenot—Juneau

NAYS

Delegates—

Alexander—Jackson, J.—Soniat
Asseff—Kelly—Taylor
Brien—Landrum—Vick
Champagne—Riecke—
Fontenot—Schmitt
Total—13.

ABSENT

Delegates—

Mr. Chairman—Edwards—Sandoz
Armentor—Martin—Shannon
Arnette—Ours—Slav
Burson—Planchard—Sutherland
Cannon—Pugh—Triche
Carmouche—Rachal—Womack
Total—18.

NAYS

Casey
Total—1.

Delegates—

Armentor—Edwards—Sandoz
Blair—Martin—Shannon
Burson—Ours—Slav
Cannon—Pugh—Sutherland
Carmouche—Rachal—Triche
Edwards—Rachal—Womack
Total—16.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 16. District Courts: Original Jurisdiction

Section 16. (A) Unless otherwise authorized by this constitution, a district court shall have original jurisdiction in all civil and criminal matters. It shall have exclusive original jurisdiction of felony cases; cases involving the title to immovable property; the right to office or other public position; civil or political rights; probate and succession matters; the state, a political corporation, or a succession, as a party defendant, regardless of the amount in dispute; and the appointment of receivers or liquidators to corporations or partnerships.

(B) A district court shall have appellate jurisdiction as provided by law.

Read.

Delegate Tate sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Tate to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, line 1, immediately after the word "jurisdiction" insert a colon ": and delete the remainder of the line and insert in lieu thereof the following:

"of felony cases and of cases involving: the title to"

On motion of Delegate Tate the amendment was adopted.

Delegate Tate moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Tobias, Abraham and Gauthier to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 5, line 30, after the letter "(A)" delete the remainder of the line.

AMENDMENT No. 2—
On page 5, line 31, at the beginning of the line delete "situation, n" and insert in lieu thereof the word "A".

On motion of Delegate Gauthier the amendment was withdrawn.

Vice Chairman Casey in the Chair
Delegate Gauthier sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Gauthier, and Nunez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, line 9, after the word "law" change the period "." to a comma "," and add the following: "except that from parish courts, appeals by trials de novo are prohibited."

Delegate Gauthier moved the adoption of the amendment.
Delegate Stinson objected.

By a vote of 28 yeas and 78 nays the amendment was rejected.
Delegate Jack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Pugh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 8 and 9, and insert in lieu thereof the following: "(B) The district courts shall have such appellate jurisdiction as the legislature shall provide by law."

Delegate Roy moved the adoption of the amendment.
Delegate Champagne objected.

By a vote of 50 yeas and 55 nays the amendment was rejected.
Delegate Alario moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 21, Section 15, was read, as amended.
Delegate Dennis moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Delegate—
Abraham
Aeriker
Alario
Alexander

Brien
Brown
Burns
Casey
Champagne
Chateiaen
Chichardy
Conino
Conroy
Corne
Cowan
D’Gerolamo
De Bieaux
Dennehy
Dennis
Derberg
Deshotels
Drew
Dunlap
Duval
Elkins
Eayard
Fiore
Fontenot
Powier
Fulbre
Gauthier
Garrusso
Ginn
Gravel
Grier
Guarisco
Hardee

Total—109.

NAYS

Delegate—
Hays
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kiblourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanjir
LeBlou
Leigh
Lehman
Lennox
Lowe
McDaniel
Miller
Mire
Monson
Newton
Nunez
O’Neill
Perez
Perkins
Rayburn

Total—0.

ABSENT

Delegate—
Martin
Mauberret
Orso
Planchard
Pugh
Rachal
Shannon
Stay

Total—23.

And the Chair declared that the above Section was passed.
Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair
Section 17. District Courts; Chief Judge
Section 17. Each district court shall elect from its members a chief judge who shall exercise, for the term designated by the court, the administrative functions as prescribed by rule of court.

Read.
Delegate Bollinger sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Bollinger to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 11 through 14 both inclusive in their entirety and insert in lieu thereof the following: "Section 17. There shall be a chief judge of each district court who shall be the judge oldest in point of service on the court."

Delegate Bollinger moved the adoption of the amendment.
Delegate Dennis objected.

By a vote of 36 yeas and 68 nays the amendment was rejected.
Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 17, was read.
Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegates—
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Avant
Badeaux
Bel
Bergeron
Bollinger
Brown
Buns
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowan
D’Geralamo
Dennery
Dennis
Derbes
Deshotel
Drew
Dunlap
Duval
Elkins
Flory
Fontenot

Total—95.

**NAYS**

Delegates—
Asseff
Brien
De Blieux
Fowler
Gravel

Total—15.

**ABSENT**

Delegates—
Mr. Chairman
Armentor
Blair
Burson
Cannon
Carmouche
Edwards
Fayard

Total—22.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 18. Juvenile Courts; Jurisdiction

Section 18. The jurisdiction of a juvenile court shall be as provided by law.

Read.

Motion

On motion of Delegate J. Jackson action was deferred on Section 18 at this time.

Section 19. Mayors’ Courts; Justices of the Peace: Continued

Section 19. Mayors’ courts and justice of the peace courts existing at the time of the adoption of this constitution are continued subject to change by the legislature.

Read.
Delegate Dennis sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Dennis to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 6, line 20, immediately after the words “Mayors’ courts” delete the remainder of the line

**AMENDMENT No. 2—**
On page 6, line 22, at the end of the line, add the following:
“Any parish of the state, the parish of Orleans excepted, may be divided by the police jury thereof into not more than six nor fewer than three justice of the peace wards, from each of which there shall be elected one justice of the peace; provided, that the legislature may reduce such number, or even abolish the office of justice of the peace throughout the state. The number of justice of the peace wards in the several parishes shall remain as now fixed until rearranged, or until the office of justice of the peace may be abolished, as herein provided.”

Delegate Thompson moved the previous question on the amendment.
Delegate Perez objected.

By a vote of 16 yeas and 83 nays the Convention refused to order the previous question.
Delegate Dennis moved the adoption of the amendment.
Delegate Rayburn objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegates—
Asseff
Deshotels
Fowler
Gravel

Total—7.

**NAYS**

Delegates—
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Avant
Badeaux
Bel
Bergeron
Bollinger
Brien
Buns
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowan
D’Geralamo
Dennery
Dennis
Derbes
Drew
Dunlap
Duval
Elkins
Flory
Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Gravel

Total—95.

Grier
Guarisco
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Stephenson
Sutherland
Triche
Wall
Winchester
Womack
Reeves
Roy
Schmitt
Stinson
Thompson
Corne
Cowen
D’Geralamo
De Blieux
Dennery
Dennis
Derbes
Drew
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Gravel

335
Delegate Anzalone sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Anzalone to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 24 through 26 both inclusive, in their entirety and insert in lieu thereof the following:

"Section 20. Evidence and its method of preservation shall be provided by law.”

On motion of Delegate Anzalone the amendment was withdrawn.

## Roll Call

Committee Proposal No. 21, Section 29, was read.
Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>YEAS</th>
<th>NAYS</th>
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</tbody>
</table>

Delegate—

Abrahm
Aerkker
Alario
Alexander
Anzalone
Armiet
Asseff
Avant
Badeaux
Bel
Bergeron
Bellinger
Brien
Burns
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Bieulex
Denney
Dennis
Deshotels
Drew
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot

Total—106

<table>
<thead>
<tr>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

Delegate—

Gauthier
Hayes
Jackson, A.
Jackson, J.
Juneau
Kelly
Kilbourne
Landry, A.
Landry, E. J.
Lainer
LeBlue
Leigh
Leithman
Lowe
McDaniel
Mauberryret
Miller
Mire
Monson
Newton

Total—37.
ABSENT

Delegates—
Mr. Chairman
Armentor
Blair
Brown
Burson
Cannon
Carmouche
Casey
Edwards
Hardee

Total—67.

Delegates—
LeBreton
Ourso
Planchard
Rachal
Shannon
Slay
Stagg

Total—28.

And the Chair declared that the above Section failed to pass.

Delegate Anzalone moved to reconsider the vote by which the above Section failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Section 21. Judges; Term of Office or Compensation May Not Be Decreased

Section 21. No judge's term of office or compensation shall be decreased during the term for which he is elected.

Read.

Delegate Bollinger sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Bollinger, Gravel, Roemer, and Dennery to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, line 27, after the word "of" delete the remainder of the line and insert in lieu thereof the words "Office, Compensation or Retirement Shall"

AMENDMENT No. 2—
On page 6, line 30, at the end of the line change the period ." to a comma ," and insert the following: "nor shall the retirement benefits or judicial service rights of any judge, whether sitting or retired, or the benefits of the surviving spouse of any judge, be reduced."

Motion
Delegate Dennis moved that the Convention take up other orders of business at this time.

Delegate Gravel objected.

By a vote of 44 yeas and 56 nays the Convention refused to take up other orders of business at this time.

Delegate Bollinger moved the adoption of the amendments.
Delegate Jack objected.

By a vote of 34 yeas and 66 nays the amendments were rejected.

Delegate Dennis moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 21, Section 21, was read.
Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Armentor
Blair
Brown
Burson
Cannon
Carmouche
Casey
Edwards
Hardee

Total—105.

NAYS

Delegates—
LeBreton
Ourso
Planchard
Rachal
Shannon
Slay
Stagg

Total—0.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Leave of Absence

Delegate Keen—\(\frac{1}{2}\) day.
Delegate Burson—\(\frac{1}{2}\) day.
Delegate Casey—\(\frac{1}{2}\) day.
Delegate Brown—\(\frac{1}{2}\) day.
Delegate Gauthier—\(\frac{1}{2}\) day.

Adjournment

Delegate Miller moved that the Convention do now adjourn until Saturday, August 18, 1973 at 9:00 o'clock A. M.

Delegate Gravel objected.

By a vote of 56 yeas and 46 nays the Convention adjourned until Saturday, August 18, 1973, at 9:00 o'clock A. M.

And Chairman Henry declared the Convention adjourned to Saturday, August 18, 1973, at 9:00 o'clock A. M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Burns.

Pledge of Allegiance

Delegate Thistlethwaite led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Abraham, the reading of the Journal
was dispensed with.

On motion of Delegate Abraham, the Journal of yesterday
was adopted.

Morning Hour

Introduction of Resolutions

Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their
committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 39—

Introduced by Delegate Zervigon:

A RESOLUTION

To amend Rule No. 78 of the Standing Rules of the Constitution
al Convention to provide that delegates not voting,
rather than absentees, shall be listed separately.

Read.

Lies over under the rules.

Introduction of Proposals

The following named delegates and committees introduced
the following entitled Delegate and Committee Proposals
which were read by their titles and placed on the Calendar
for their second reading.

COMMITTEE PROPOSAL No. 24—

Introduced by Delegate A. Jackson, Chairman, on behalf of the
Committee on Bill of Rights and Elections, and Delegates
Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick,
Wall, and Weiss:

A PROPOSAL

Relative to constitutional revision.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 27—

Introduced by Delegate Denneny:

A PROPOSAL

To establish state and city civil service.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 28—

Introduced by Delegate Denneny:

A PROPOSAL

Relative to transition for members of the State Civil Ser-
vice Commission.

Read.

Lies over under the rules.

Motion

On motion of Delegate A. Jackson, the Convention altered
the Order of Business to take up Petitions, Memorials and
Resolutions at this time.

Petitions, Memorials and Communications

The following petitions, memorials and communications
were received and read:
SECTION 3. CONVENTION CALLED BY PEOPLE

Section 3. At the election for representatives to Congress to be held in the year one thousand eight hundred eighty-six and in every tenth year thereafter, the question "Shall there be a convention to revise the Constitution of the State of Louisiana" shall be submitted to the electors of the state. If a majority of the electors who vote on the question favor calling a convention, according to the same procedures mentioned in the previous section.

SECTION 4. LAWS EFFECTUATING AMENDMENTS

Section 4. Whenever the legislature shall submit amendments to this constitution, it may at the same session enact laws to carry them into effect, to become operative when the proposed amendments have been ratified.

Motion

On motion of Delegate Auzalone Committee Proposal No. 4 was made Special Order of the Day for Thursday, August 23, 1973.

unfinished business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

SECTION 22. JUDGES; ELECTION; VACANCY IN OFFICE

Section 22. (A) Election of judges shall be at the regular congressional election.

(B) A newly-created judgeship or a vacancy in the office of any judge shall be filled by a special election which shall be called by the governor, and held within six months of the day on which the vacancy occurs or the judgeship is established, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the judge shall appoint a person meeting the qualifications for judge to the office, to serve at its pleasure, who shall be ineligible as a candidate for election to the judgeship.

(C) A judge serving on the date of adoption of this constitution shall continue in office for the term to which elected and shall serve through December thirty-first of the last year of his term or, if the last year of his term is not in the even-numbered year of a general judicial election, then through-December thirty-first of the following year. The election for the next term in the office will be held in a general judicial election of the year in which the term expires as provided above.

Delegate Jenkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins, Pugh, Juneau,
Delegate Jenkins objected to tabling the motion to reconsider.

By a vote of 53 yeas and 69 nays the Convention refused to table the motion to reconsider.

**Motion**

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected.

Delegate Tate objected.

By a vote of 55 yeas and 63 nays, the Convention refused to reconsider the vote by which the amendment was rejected.

Delegate Flory sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 32, immediately after the word “be” and before the word “at” insert the words “conducted on a non-partisan basis.”

Delegate Flory moved to reconsider the amendment which was adopted.

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 1, at the end of the line add the following: “Judges shall be elected on a non-partisan basis, although party designations of candidates shall appear on the ballot, as provided by law.”

**Motion**

Delegate Abraham moved the previous question on the amendment.

Delegate Jack objected.

By a vote of 23 yeas and 86 nays the Convention refused to order the previous question.

Delegate Jenkins moved the adoption of the amendment.

Delegate De Blieux objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham

Aertker

Alexander

Arnette

Badeaux

Bergeron

Bollinger

Brien

Casey

Champagne

Conroy

Corne

Cowen

De Blieux

Dennery

Derby

Deshotel

Duval

Elkins

Total—57.

**NAYS**

Delegates—

Alario

Anzalone

Asseff

Bel

Burns

Burson

Carmouche

Chalain

Conino

D’Gerolamo

Dennis

Drew

Dunlap

Fayard

Flory

Giarrusso

Ginn

Gravel

Grier

Haynes

Total—58.

**ABSENT**

Delegates—

Mr. Chairman

Armentor

Avant

Blair

Brown

Cannon

Total—17.

And the amendment was rejected.

Delegate Wall moved to reconsider the vote by which the amendment was adopted and to lay the motion to reconsider on the table.
Delegate Dennis sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennis to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, at the beginning of line 8, after the partial word "tions" and before the words "the office" delete the words "for judge to" and insert a comma "," and insert the following words and punctuation: "other than domicile, for"

Delegate Dennis moved the adoption of the amendment.
Delegate Brown objected.
By a vote of 106 yes and 5 nays the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Rayburn sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Rayburn and De Bieaux to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 4, immediately after the word "held" delete the remainder of the line and delete line 5 in its entirety and at the beginning of line 6, delete "ablished," and insert in lieu thereof the following: "at the next regularly scheduled congressional or statewide election."

Delegate Rayburn moved the adoption of the amendment.
Delegate Tate objected.
By a vote of 47 yes and 70 nays the amendment was rejected.
Delegate Tate moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Landrum sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendment proposed by Delegate Thistlethwaite to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete line 32 in its entirety, and on page 7, delete lines 1 through 20 both inclusive, in their entirety and insert in lieu thereof the following: "Section 22. Election of judges shall be as provided by law."

**AMENDMENT No. 2—**

On page 6, strike out Floor Amendment No. 1 proposed by Delegate Flory and adopted by the Convention on August 16, 1973.

Delegate Thistlethwaite moved the adoption of the amendments.
Delegate Drew objected.

By a vote of 15 years and 99 nays the amendment was rejected.
Delegate Drew moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Smith moved the previous question on the amendment.
Delegate J. Jackson objected.

By a vote of 27 years and 67 nays the Convention refused to order the previous question.
Delegate Landrum moved the adoption of amendment No. 1.
Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEA</th>
<th>NAY</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aerator</td>
<td>Hayes</td>
<td>Roy</td>
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<td>Alario</td>
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<td>Stovall</td>
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<td>Jackson, J.</td>
<td>Taylor</td>
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<td>Stephens</td>
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<td>Kilpatrick</td>
<td>Velaquez</td>
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<td>Chatelain</td>
<td>Landrum</td>
<td>Thompson</td>
<td></td>
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<td>Guarisco</td>
<td>Riecke</td>
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<td>-38.</td>
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<th>Delegates—</th>
<th>NAY</th>
<th>TOTAL</th>
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<tr>
<td>Badeaux</td>
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<td>Bollinger</td>
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<td>Burns</td>
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<tr>
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<td>Kilbourne</td>
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</tr>
<tr>
<td>Corne</td>
<td>Landry, A.</td>
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</tr>
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<td>Landry, E. J.</td>
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</tr>
<tr>
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<td>Lanier</td>
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</tr>
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<td>Dennis</td>
<td>LeBleau</td>
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<tr>
<td>Derbes</td>
<td>Leigh</td>
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<tr>
<td>Deshotels</td>
<td>Lennox</td>
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<tr>
<td>Drew</td>
<td>Lowe</td>
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<tr>
<td>Dunlap</td>
<td>McDaniel</td>
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<tr>
<td>Duval</td>
<td>Martin</td>
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<tr>
<td>Elkins</td>
<td>Miller</td>
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<tr>
<td>Fulco</td>
<td>Newton</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nunez</td>
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</tr>
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<table>
<thead>
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<tr>
<td>Mr. Chairman</td>
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</tr>
<tr>
<td>Armentor</td>
<td>Lambert</td>
</tr>
<tr>
<td>Bel</td>
<td>LeBreton</td>
</tr>
<tr>
<td>Blair</td>
<td>Munson</td>
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<td>Cannon</td>
<td>Pugh</td>
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<tr>
<td>Chehardy</td>
<td>Rachal</td>
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<td>D’Gerolamo</td>
<td>Shannon</td>
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<tr>
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<td>Sutherland</td>
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<td>Triche</td>
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<td></td>
<td>Warren</td>
</tr>
<tr>
<td></td>
<td>Womack</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 11, at the end of the line delete the period “,” and add the following:

'"at the election to fill the vacancy or the newly created judicial office."'

Delegate Drew moved the adoption of the amendment.
Delegate Singley objected.

By a vote of 109 yea's and 2 nays the amendment was adopted.
Delegate Drew moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Miller sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Miller, Bergeron, Drew, Juneau, Womack, Sandoz, Anzalone, and Gauthier to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 11, immediately after the language added by Convention Floor Amendment No. 1 proposed by Delegate Drew et al and adopted by the Convention on August 18, 1973, add the following sentence:

“For service as an appointed judge, the person appointed to fill the vacancy, other than a retired judge, shall not be eligible for retirement benefits provided for the elected judiciary.”

Delegate Miller moved the adoption of the amendment.

Delegate Wall objected.

A record vote was asked for and ordered by the Convention.

The roll was called with the following result:

**ROLL CALL**

**YEAS**

Delegate—

<table>
<thead>
<tr>
<th>Arnette</th>
<th>Hernandez</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avant</td>
<td>Jenkins</td>
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<tr>
<td>Badeaux</td>
<td>Landry, A.</td>
</tr>
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<td>Bergeron</td>
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<td>Burns</td>
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<tr>
<td>Burson</td>
<td>Lebleu</td>
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<tr>
<td>Chafelein</td>
<td>Leigh</td>
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<tr>
<td>Corne</td>
<td>Lennox</td>
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<tr>
<td>Cowen</td>
<td>Lowe</td>
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<tr>
<td>D'Grolamo</td>
<td>McDaniel</td>
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<td>Dennery</td>
<td>Martin</td>
</tr>
<tr>
<td>Dennis</td>
<td>Mabberett</td>
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<tr>
<td>Drew</td>
<td>Miller</td>
</tr>
<tr>
<td>Flory</td>
<td>Miller</td>
</tr>
<tr>
<td>Fowler</td>
<td>Miller</td>
</tr>
<tr>
<td>Fulco</td>
<td>Miller</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Munez</td>
</tr>
<tr>
<td>Giarrusso</td>
<td>O'Neill</td>
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<tr>
<td>Hardee</td>
<td>Ourso</td>
</tr>
<tr>
<td>Heine</td>
<td>Perez</td>
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</table>

Total—59.

**NAYS**

Delegate—

<table>
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<tr>
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<th>Edwards</th>
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</thead>
<tbody>
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<td>Alario</td>
<td>Elkins</td>
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<tr>
<td>Alexander</td>
<td>Fayard</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Fontenot</td>
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<tr>
<td>Asselt</td>
<td>Ginn</td>
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<td>Bollinger</td>
<td>Gravel</td>
</tr>
<tr>
<td>Brien</td>
<td>Grier</td>
</tr>
<tr>
<td>Brown</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Hayes</td>
</tr>
<tr>
<td>Casey</td>
<td>Haynes</td>
</tr>
<tr>
<td>Champagne</td>
<td>Jack</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Conino</td>
<td>Jackson, J.</td>
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<tr>
<td>Conroy</td>
<td>Kilpatrick</td>
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<tr>
<td>De Blieux</td>
<td>Landrum</td>
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<tr>
<td>Derbes</td>
<td>Leithman</td>
</tr>
<tr>
<td>Deshotels</td>
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<tr>
<td>Dunlap</td>
<td>Newton</td>
</tr>
<tr>
<td>Duval</td>
<td>Planhard</td>
</tr>
</tbody>
</table>

Total—55.

Delegate—

<table>
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<tr>
<th>Mr. Chairman</th>
<th>Kilbourne</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Lambert</td>
</tr>
<tr>
<td>Armentor</td>
<td>LeBreton</td>
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<tr>
<td>Bel</td>
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<tr>
<td>Blair</td>
<td>Pugh</td>
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<tr>
<td>Cannon</td>
<td>Ralchal</td>
</tr>
<tr>
<td>Total—18.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Miller moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Conroy, Casey, Soniat, Sutherland, Kean and Leigh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, between lines 20 and 21; insert the following:

“(D) The legislature may provide for a system of merit selection of judges in lieu of election. Such system must provide that the original selection of each judge shall thereafter be by appointment from at least three nominees selected by a non-partisan commission, that such selection shall be submitted for approval or rejection by the voters at the next regular congressional election following such selection, and that the continued tenure of each judge previously elected or thereafter so selected and approved shall be submitted to the voters prior to the expiration of the period of time prescribed as the term for such judgeship. No such system shall be effective for the selection of judges in a supreme court, district court, court of appeal district, or judicial district unless first submitted to the voters of such district and approved by a majority of voters voting upon such issue, nor shall any such system operate to reduce the term of any incumbent judge.”

Delegate Kilbourne moved the previous question on the amendment.

Delegate Gauthier objected.

By a vote of 36 yeas and 69 nays the Convention refused to order the previous question.

Delegate Conroy moved the adoption of the amendment.

Delegate Jack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following results:

**YEAS**

Delegate—

<table>
<thead>
<tr>
<th>Aertker</th>
<th>Denney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Badeaux</td>
<td>Derbes</td>
</tr>
<tr>
<td>Brown</td>
<td>D'Grolamo</td>
</tr>
<tr>
<td>Casey</td>
<td>Dennis</td>
</tr>
<tr>
<td>Chafelein</td>
<td>Devonot</td>
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<td>Conino</td>
<td>Gauthier</td>
</tr>
<tr>
<td>Conroy</td>
<td>Hardee</td>
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<tr>
<td>Cowen</td>
<td>Kean</td>
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<tr>
<td>De Blieux</td>
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<td>Total—26.</td>
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Delegate—

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<td>Anzalone</td>
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<td>Asselt</td>
<td>Conroy</td>
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<td>Bollinger</td>
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<td>Brien</td>
<td>Derbes</td>
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<td>Carmouche</td>
<td>Deshotels</td>
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<td>Dunlap</td>
</tr>
<tr>
<td>Champagne</td>
<td>Edwards</td>
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<tr>
<td>Chehardy</td>
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<td>Conino</td>
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<td>De Blieux</td>
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<td>Newton</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Planhard</td>
</tr>
</tbody>
</table>

Total—55.

And the amendment was adopted.

Delegate Miller moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Conroy, Casey, Soniat, Sutherland, Kean and Leigh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, between lines 20 and 21; insert the following:

“(D) The legislature may provide for a system of merit selection of judges in lieu of election. Such system must provide that the original selection of each judge shall thereafter be by appointment from at least three nominees selected by a non-partisan commission, that such selection shall be submitted for approval or rejection by the voters at the next regular congressional election following such selection, and that the continued tenure of each judge previously elected or thereafter so selected and approved shall be submitted to the voters prior to the expiration of the period of time prescribed as the term for such judgeship. No such system shall be effective for the selection of judges in a supreme court, district court, court of appeal district, or judicial district unless first submitted to the voters of such district and approved by a majority of voters voting upon such issue, nor shall any such system operate to reduce the term of any incumbent judge.”

Delegate Kilbourne moved the previous question on the amendment.

Delegate Gauthier objected.

By a vote of 36 yeas and 69 nays the Convention refused to order the previous question.

Delegate Conroy moved the adoption of the amendment.

Delegate Jack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following results:

**YEAS**

Delegate—

<table>
<thead>
<tr>
<th>Aertker</th>
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</thead>
<tbody>
<tr>
<td>Badeaux</td>
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<td>Dennis</td>
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<td>Total—26.</td>
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Delegate—

<table>
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<td>Anzalone</td>
<td>De Blieux</td>
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<td>Asselt</td>
<td>Derbes</td>
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<td>Deshotels</td>
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<td>Elkins</td>
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<td>Chehardy</td>
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<td>Mire</td>
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<td>Derbes</td>
<td>Planhard</td>
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Total—55.
33rd Days Proceedings—August 18, 1973

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<tr>
<th>Fayard</th>
<th>Landry, A.</th>
<th>Segura</th>
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<td>Fiery</td>
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<td>Landrum</td>
<td>Schmitt</td>
<td>Winchester</td>
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<td>Total—87.</td>
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| Mr. Chairman       | LeBreton   | Stoval |
| Armentor           | Lenoxx     | Sutherland |
| Bel                | McDaniel   | Taylor |
| Blair              | Pugh       | Triche  |
| Cannon             | Rachal     | Womack |
| F uncle             | Riecke     |        |
| Guarisco           | Shannon    |        |
| Total—19.          |            |        |

And the amendment was rejected.

Delegate Munson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Jenkins to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 7, line 16, after the words "of a" and before the word "election" delete the words "general judicial" and insert in lieu thereof the words "regular congressional".

**AMENDMENT No. 2**

On page 7, at the beginning of line 19, delete the words "a general judicial election of".

On motion of Delegate Jenkins the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 22, was read, as amended.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<td>Mr. Chairman</td>
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<td>Carmouche</td>
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<td>Roemer</td>
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<td>Casey</td>
<td>Hernandez</td>
<td>Roy</td>
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<td>Total—107.</td>
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**NAYS**

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<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Jackson, J.</td>
<td>Landrum</td>
<td>Wall</td>
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<tr>
<td>Total—3.</td>
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And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Kean moved that the Convention do now adjourn until Wednesday, August 22, 1923, at 9:30 o'clock a.m.

Delegate Dennis objected.

By a vote of 45 yeas and 64 nays the Convention refused to adjourn at this time.

**Section 23. Retirement of Judges**

Section 23. (A) A judge shall not remain in office beyond his seventyeth birthday, except as otherwise provided herein. (B) A judge or judicial administrator in office or retired at the time of the adoption of this constitution, shall not have diminished any retirement benefits or judicial service rights, including the right to remain in office, as judge, during his present term, as provided under the previous constitution or laws, nor shall the benefits to which his surviving spouse was entitled be reduced. (C) A judge taking office after the adoption of this constitution and a judge in office who so elects within ninety days of the adoption of this constitution by notifying the secretary of state, shall be vested and entitled to the following retirement benefits: (1) This subsection applies to a judge of a court authorized by this constitution, except mayors and justices of the peace. (2) A judge with sixteen years of judicial service may retire at any age; a judge of twelve years of judicial service may retire with benefits commencing at the age of fifty.
five. On retirement, a judge shall receive annually as retirement benefits four percent of his salary times the number of years served, but not more than ninety percent.

(3) A judge who is physically or mentally incapacitated to perform his duties shall be retired. He shall receive as annual retirement benefits two-thirds of his annual salary, or four percent of his salary times the number of years served, whichever is greater, not to exceed the maximum amount provided in paragraph (2).

(4) Upon the death of a judge, in office or retired, the surviving spouse, until remarriage, shall be entitled to one-half of his annual salary as judge prior to death or retirement. If the judge is not survived by a spouse, or if the spouse dies, his unmarried children shall be entitled to the benefits provided in this subsection until the age of eighteen.

(5) Benefits provided herein shall be paid from the same sources as was his compensation as judge. The legislature and the political subdivisions shall provide for the payment of these benefits.

(6) To receive the benefits provided in this subsection, the judge shall contribute a total of six percent of his salary to the paying authorities.

Read.

Vice Chairman Roy in the Chair

Delegate Rayburn sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Rayburn to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, line 11, after the word “benefits” and before the word “percent” delete the word “four” and insert in lieu thereof “three and one-half”

AMENDMENT No. 2—

On page 8, line 16, at the beginning of the line, delete the word “four” and insert in lieu thereof “three and one-half”

AMENDMENT No. 3—

On page 8, line 36, after the words “a total of” and before the word “percent” delete the word “six” and insert in lieu thereof the word “seven”

Delegate Gravel moved the previous question on the amendment.

Delegate Lanier objected.

By a vote of 34 yeas and 66 nays the Convention refused to order the previous question at this time.

Delegate Rayburn moved the adoption of the amendment.

Delegate Duval objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—

Abraham

Aertker

Alario

Alexander

Anzalone

Arnette

Asseff

Avant

Badeaux

Bergeron

Bollinger

Bolivar

Brown

Bruns

Burns

Burson

Carmouche

Casey

Champagne

Chelalian

Chehardy

Comly

Conroy

Corne

Cowen

D’Gerolamo

De Blieux

Dennery

Dennis

Deshotels

Drew

Dunlap

Edwards

Flory

Fontenot

Fowler

Gauthier

Garruso

Ginn

Gravel

Grier

Guarisco

Hardee

Hayes

Haynes

Heine

Hernandez

Jackson, A.

Jackson, J.

Jenkins

Juneau

Keaton

Kelly

Kilbourne

Kilpatrick

Landry, A.

Landry, E. J.

Total—103.

LANIER

LeBlanc

Leigh

Leithman

Lowe

Martin

Mauberret

Miller

Mire

Monson

Newton

Nunez

O’Neill

Ourso

Perez

Perkins

Planchard

Rayburn

Reeves

Robinson

Roy

Sandoz

Schmitt

Segura

Silverberg

Total—19.

NAYS

Delegates—

Duval

Elkins

Total—5.

ABSENT

Delegates—

Mr. Chairman

Armentor

Bel

Blair

Cannon

Fulco

Landrum

Total—19.

And the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Gravel, Henry, Newton, Roemer, Pugh, Jack, Brien, Brown, Champagne, Fontenot, Grier, Reeves, Segura, Singleterry, Slay, Stagg, Wall and Wisham to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 22 through 32, both inclusive, in their entirety, and on page 8, delete lines 1 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 23. The legislature shall provide for a retirement system for judges; provided, however, a judge in office or retired at the time of adoption of this constitution, shall not have diminished any retirement benefits or judicial service rights, nor shall the benefits to which his surviving spouse is entitled be reduced."

Delegate Gravel moved the adoption of the amendment.

Delegate Kean objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Abraham

Alexander

Asseff

Bollinger

Brown

Champagne

Chelalian

Chair

Chairman

Chairman

Chairman

Chairman

Chairman

Chairman
Delegate Jack objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aertker

Alario

Anzalone

Arnette

Avant

Badeaux

Benoit

Burns

Burton

Carmouche

Conroy

Conroy

Cough

D'Gerolamo

Dennis

Total—58.

NAYS

Derbes

Deshots

Edwards

Flory

Gauthier

Hardee

Hein

Kean

Kelly

Kilbourne

Landrum

Landry

Leigh

Leigh

Leigh

Lebeaux

Dee

Denny

Dennis

Total—57.

Delegates—

Armentor

Bel

Blair

Cannon

Culpo

LeBreton

Total—17.

And Vice-Chairman Roy declared his vote as yea on the amendment, breaking the tie.

And the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and lay the motion to reconsider on the table.

Delegate Stinson objected to tabling the motion to reconsider.

Point of Order

Delegate Perez sought a ruling of the Chair as to whether a delegate in the Chair, not the chairman, would be permitted under Rule No. 80 to cast a vote breaking a tie.

Ruling

The Chair ruled that a delegate in the Chair, not the chairman, was authorized to cast a vote breaking a tie under Rule No. 80.

Appeal

Delegate Dennis appealed the ruling of the Chair.

Delegate Dennis withdrew the motion to appeal the ruling of the Chair.

As a substitute Delegate Planchard moved that the Convention do now adjourn until Wednesday, August 22, 1973, at 9:30 o'clock a.m.

The vote then recurred on the motion to table the motion to reconsider the vote by which the amendment was adopted.

By a vote of 60 yeas and 52 nays and motion to reconsider was tabled.

Motion

On motion of Delegate Rayburn, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions

Delegates and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:
COMMITTEE NOTICE
Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Wednesday, August 22, 1973, immediately after adjournment in Room 205 of the State Capitol and will consider the following agenda:

AGENDA
Continuation of consideration of Committee Proposal 7;
Delegate Proposals 8, 9, 10.

Respectfully submitted,
DELEGATE AERTKER
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Wednesday, August 22, 1973, after adjournment in Committee Room 4 and will consider the following agenda:

AGENDA
To consider the committee's proposal, CP 15.

Respectfully submitted,
DELEGATE RAYBURN
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.
The Convention was called to order at 9:30 o'clock A. M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aerkker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conly
Conroy
Corne
Cown
D’Grolamo
De Blieux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Eikins
Fayard
Flory
Fontenot
Fowler
Total—124.

ABSENT

Delegates—
Armentor
Cannon
Leith- man
Total—8.

The Chairman announced that there were 124 members present and a quorum.

Prayer

Prayer was offered by the Delegate Alexander.

Pledge of Allegiance

Delegate Hayes led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Fowler, the reading of the Journal was dispensed with.

On motion of Delegate Fowler, the Journal of yesterday was adopted.

Morning Hour

Motion

On motion of Delegate Fowler the Journal’s of the first nine day’s proceedings were adopted.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 29—
Introduced by Delegate Asseff:
A PROPOSAL
Providing for the reorganization of the executive branch of state government.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 30—
Introduced by Delegate Lennox:
A PROPOSAL
Relative to levee districts.

Read.

Lies over under the rules.

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 39—
Introduced by Delegate Zervigon:
A RESOLUTION
To amend Rule No. 78 of the Standing Rules of the Constitutional Convention to provide that delegates not voting, rather than absentees, shall be listed separately.

Read.

Under the rules the above Resolutions was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 40—
Introduced by Delegate Casey:
A RESOLUTION
To amend and readopt Paragraph 2 of Rule Number 50 of the Standing Rules of the Constitutional Convention to require that the recommendations of the Committee on Style and Drafting on proposals adopted be submitted to the substantive committee involved prior to report to the convention.

Read.

Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:
COMMITTEE PROPOSAL No. 24—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:
A PROPOSAL
Relative to constitutional revision.
Read.

Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 27—
Introduced by Delegate Dennery:
A PROPOSAL
To establish state and city civil service.
Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 28—
Introduced by Delegate Dennery:
A PROPOSAL
Relative to transition for members of the State Civil Service Commission.
Read.

Under the rules the above proposal was referred to the Committee on Education and Welfare.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotel, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sanchez, Tate and Vesich (A Substitute for Committee Proposal No. 6):
A PROPOSAL
Making provisions for the judiciary branch of government

Read.

Section 23. Retirement of Judges

Section 23. (A) A judge shall not remain in office beyond his seventieth birthday, except as otherwise provided herein.
(B) A judge or judicial administrator in office or retired at the time of the adoption of this constitution, shall not have diminished any retirement benefits or judicial service rights, including the right to remain in office, as judge, during his present term, as provided under the previous constitution, or laws, nor shall the benefits to which his surviving spouse was entitled be reduced.
(C) A judge taking office after the adoption of this constitution and a judge in office who so elects within ninety days of the adoption of this constitution by notifying the secretary of state, shall be vested and entitled to the following retirement benefits:
(1) This subsection applies to a judge of a court authorized by this constitution, except mayors and justices of the peace.
(2) A judge with sixteen years of judicial service may retire at any age; a judge of twelve years of judicial service may retire with benefits commencing at the age of fifty-five. On retirement, a judge shall receive annually as retire-

ment benefits four percent of his salary times the number of years served, but not more than ninety percent.
(3) A judge who is physically or mentally incapacitated to perform his duties shall be retired. He shall receive as annual retirement benefits two-thirds of his annual salary, or four percent of his salary times the number of years served, whichever is greater, but not to exceed the maximum amount provided in paragraph (2).
(4) Upon the death of a judge, in office or retired, the surviving spouse, until remarriage, shall be entitled to one-half of his annual salary as judge prior to death or retirement. If the judge is not survived by a spouse, or if the spouse dies, his unmarried children shall be entitled to the benefits provided in this subsection until the age of eighteen. Benefits provided herein shall be paid from the same sources as was his compensation as judge. The legislature and the political subdivisions shall provide for the payment of these benefits.
(5) To receive the benefits provided in this subsection, the judge shall contribute a total of six percent of his salary to the paying authorities.

Read.
The Chairman announced that the Convention had under consideration Committee Proposal No. 21, Section 23, when it adjourned on Saturday, August 18, 1973, which was taken up and acted upon as follows:

Delegate Kean sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Kean, Lowe and Zer-vignon to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, delete lines 22 through 32, both inclusive, in their entirety; and on page 8, delete lines 1 through 31, both inclusive, in their entirety.

AMENDMENT No. 2—
Delete the Amendment proposed by Delegate Gravel, et al. and adopted by the Convention on August 18, 1973, and insert in lieu thereof the following:

"The legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of the statute enacting the system and to which a judge in office at the time of its adoption may elect to join with credit for all prior years of judicial service without contribution therefor; provided, however, a judge in office or retired at the time of adoption of this constitution, shall not have diminished any retirement benefits or judicial service rights, nor shall the benefits to which his surviving spouse is entitled, be reduced."

Delegate Kean moved the adoption of the amendment.
Delegate Gravel objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEARS

Delegates—
Abraham—
Aertker—
Alario—
Anzalone—
Arnette—
Avant—
Badeaux—
Bel—
Bergeron—
Burns—
Burson—
Casey—
Chatelain—
Conino—
Conroy—
Corne—
Cow—
D’Gerolamo—
De Blieux—
Dennery—
Dennis—
Dorbe—
Drew—
Edwards—
Elkins—
Flory—
Fontenot—
Fowler—
Gauthier—
Heine—
Jack—
Juneau—
Kean—
Kilbourne—
Landrum—
Landry, A—
Lanier—
Leigh—
FLOOR AMENDMENTS

Amendments proposed by Delegate Tobias to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
In Convention Floor Amendment No. 2, proposed by Delegate Kean, et al., and adopted by the Convention on August 22, 1973, immediately before the words “The Legislature” insert “Section 22.(A)”

AMENDMENT No. 2—
In Convention Floor Amendment No. 2, proposed by Delegate Kean, et al., and adopted by the Convention on August 22, 1973, immediately after the words “is entitled, be reduced,” add the following as a new paragraph: “(B) A judge shall not remain in office beyond his seventieth birthday, except as otherwise provided in this Section.”

Motion

Delegate Weiss moved the previous question on the entire subject matter.

Delegate Jack objected.

By a vote of 14 yeas and 88 nays the Convention refused to order the previous question on the entire subject matter.

Delegate Tobias moved the adoption of the amendments.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—
Abraham — Edwards
Aertker — Elkins
Anzalone — Pech
Badeaux — Fontenot
Bel — Fowler
Bergeron — Fuco
Blair — Gauthier
Bollinger — Gin
Brown — Hayes
Burns — Hernandez
Burson — Jack
Campouche — Juneau
Conio — Kelly
Conroy — Kilpatrick
Corne — Lambert
Cowen — Landry, A.
D’Gerolamo — Landry, E. J.
De Bieux — Larrier
Dierges — LeBleu
Deshotels — LeBlanc
Drew — LeBlanc

NAYS

Delegate—
Guarisco — Teomy
Haynes — Ullo
Heine — Velazquez
Jackson, A. — Vich
Jenkins — Vick
Kean — Warren
Kilbourne — Weiss
Landrum — Willis
Mauberret — Winchester
Nunez — Zervigon
O’Neill —
Perkins — Ouse
Perez —
Robinson — Perkins
Schmitt — Pech
Segura — Pech
Stephenson — Pech
Sulliv — Pech
Taylor — Tapper
Triche — Tapper
Wall — Tapper

And the amendments were adopted.

Delegate Kean moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Zervigon sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Zervigon to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, immediately following the language added by House Floor Amendment No. 2 proposed by Delegate Kean and adopted by the Convention on August 22, 1973, insert the following as a new paragraph: “The retirement benefits or judicial service rights of any judge shall not be decreased during the term for which such judge is elected, nor shall the benefits of the surviving spouse be decreased.”

Delegate Zervigon moved the adoption of the amendment.

Delegate Jack objected.

By a vote of 38 yeas and 67 nays the amendment was rejected.

Delegate Jack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up floor amendments, which were read as follows:

NAYS

Delegate—
Guarisco — Roemer
Haynes — Schmitt
Heine — Silverberg
Jackson, A. — Singleterary
Jenkins — Slay
Kean — Slay
Kilbourne — Slay
Landrum — Slay
Mauberret — Slay
Nunez — Slay
O’Neill — Slay
Perkins — Slay
Perez — Slay
Robinson — Slay

350
And the amendments were adopted.

Delegate Tobias moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Velazquez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Velazquez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 22 through 32, both inclusive, in their entirety, and on page 8, delete lines 1 through 31 both inclusive, and strike out Convention Floor Amendments No. 1 and No. 2 proposed by Delegate Kean and adopted by the Convention on August 22, 1973, in their entirety and insert in lieu thereof the following:

"Section 23. The legislature shall provide for a retirement system for judges; provided, however, a judge in office or retired at the time of adoption of this constitution, shall not have diminished any retirement benefits or judicial service rights, nor shall the benefits to which his surviving spouse is entitled be reduced. Any judge in office at the time of the enactment of the statutory retirement system shall have the option of joining the statutory retirement system or remaining in his present system. The option to join the new system shall be open to a judge for one year after the enactment of the statutory system."

Delegate Velazquez moved the adoption of the amendment.

Delegate Dennis objected.

By a vote of 32 yeas and 34 nays the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jack sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jack to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

In Floor Amendment No. 2 proposed by Delegate Kean, et al., adopted by the Convention on August 22, 1973, at the beginning of line 1, delete the word "The" and insert in lieu thereof the following:

"Within two years after the effective date of this constitution, the"

Delegate Jack moved the adoption of the amendment.

Delegate Gravel moved the adoption of the amendment.

By a vote of 64 yeas and 44 nays the amendment was adopted.

Delegate Jack moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Tate sent up floor amendments, which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegate Tate to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 6, at the end of the line 6, immediately after the word “respectively” add the word “district.”

AMENDMENT No. 2—
On page 19, line 7, place a comma “,” after the word “circuit.”

Delegate Tate moved the adoption of the amendment.

By a vote of 111 yeas and 0 nays the amendment was adopted.

Delegate Tate moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Stovall further action on the above Section was deferred at this time.

Section 25. Judiciary Commission; Composition; Terms; Vacancy; Grounds for Removal; Powers

Section 25. (A) The Judiciary Commission shall consist of one court of appeal judge and two district court judges selected by the supreme court; three attorneys admitted to the practice of law for at least ten years who are not judges, active or retired, nor public officials, selected by the Louisiana Conference of Court of Appeal Judges’ Association or its successor; and three citizens, not lawyers, judges active or retired, nor public officials, appointed by the Louisiana Judicial Judges’ Association or its successor.

(B) A member of the commission shall serve a four-year term and shall not be eligible to succeed himself.

(C) A member’s term shall terminate when he loses the status causing his appointment or when any event occurs which would have made him ineligible for appointment.

(D) When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

(E) On recommendation of the Judiciary Commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the Judiciary Commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during the pendency of the proceedings. On recommendation of the Judiciary Commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is, or is likely to become, of a permanent character. The supreme court shall make rules implementing this section and providing for confidentiality and privilege of proceedings.

(F) Action against a judge under this Section shall not preclude disciplinary action against him with respect to his license to practice law.

Read.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt to Committee Proposal No. 21 by by Delegate Dennis, et al.

AMENDMENT No. 1—
On page 9, line 14, immediately after the word “law” and before the word “who” delete the words “for at least 10 years.”

Delegate Schmitt moved the adoption of the amendment.

Delegate Casey objected.

By a vote of 38 yeas and 68 nays the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Stagg, the Convention altered the Order of Business to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

State of Louisiana

HOUSE OF REPRESENTATIVES

Baton Rouge

August 22, 1973

Honorabie E. L. “Bubba” Henry
Chairman
1973 Constitutional Convention
Independence Hall
Baton Rouge, Louisiana 70804

Dear Mr. Chairman:

Personal, business and family matters require that I resign as a delegate, representing the public at large, to the 1973 Constitutional Convention. I have this day tendered my resignation to Governor Edwin W. Edwards who originally appointed me as a delegate representing the public at large.

I have hope and confidence in the Convention and look forward with a great deal of optimism to the new Constitution which the Convention will present to the people of this State.

Please accept my sincere congratulations on the work of the Convention thus far and I express my regrets to the Convention that I am unable to continue to work with the Convention.

Yours very truly,

RISLEY C. TRICHE

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

August 22, 1973

Hon. Wade O. Martin, Jr.
Secretary of State
Baton Rouge, Louisiana

Dear Mr. Martin:

Please issue commission to the following:
Paul H. Goldman, Monroe, as Delegate to the Constitutional Convention of 1973 (AT LARGE), vice Representative Risley C. Triche, resigned.

Yours very truly,

EDWIN EDWARDS
Governor of Louisiana

Oath of Office

Mr. Paul H. Goldman appeared before the bar of the Convention and took the following oath of office administered by Hon. David R. Poynter, Clerk of the House of Represen-
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Representatives and Chief Clerk of the Constitutional Convention:
"I hereby solemnly swear that I will support the constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assumed. So help me God."..."

Unfinished Business, Resumed

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sandor, Tate and Veliez (A Substitute for Committee Proposal No. 6):

A PROPOSAL
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Read.

Section 25. Judiciary Commission; Composition; Terms: Vacancy; Grounds for Removal; Powers

Section 25. (A) The Judiciary Commission shall consist of one court of appeal judge and two district court judges selected by the supreme court; three attorneys admitted to the practice of law for at least ten years who are not judges, active or retired, nor public officials, selected by the Louisiana Conference of Court of Appeal Judges’ Association or its successor; and three citizens, not lawyers, judges active or retired, nor public officials, appointed by the Louisiana District Judges’ Association or its successor.

(B) A member of the commission shall serve a four-year term and shall not be eligible to succeed himself.

(C) A member’s term shall terminate when he loses the status causing his appointment or when any event occurs which would have made him ineligible for appointment.

(D) When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

(E) On recommendation of the Judiciary Commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the Judiciary Commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during the pendency of the proceedings in the supreme court. On recommendation of the Judiciary Commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is, or is likely to become, of a permanent character. The supreme court shall make rules implementing this section and providing for confidentiality and privilege of proceedings.

(F) Action against a judge under this Section shall not preclude disciplinary action against him with respect to his license to practice law.

Read.

Delegate Dennery sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Dennery and Lanier to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 10, line 13, after the word "of" and before the word "proceedings" insert the word "commission"

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perkins sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Perkins to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, line 13, immediately after the semi-colon ";" and before the word "attorneys" delete the word "three" and insert in lieu thereof the word "two"

AMENDMENT No. 2—
On page 9, line 14, immediately after the word "years" and before the word "who" insert the following: "and one attorney admitted to the practice of law for at least three years but not more than ten years"

Delegate Perkins moved the adoption of the amendment.

Delegate Roemer objected.

By a vote of 95 yes and 13 nays the amendments were adopted.

Delegate Perkins moved to reconsider the vote by which the amendments were adopted, and on his own motion the motion to reconsider was laid on the table.

Delegate Duval sent up floor amendments, which were read as follows:

Amendments proposed by Delegate Duval to Committee Proposal No. 21 by Delegate Dennis, et al.

FLOOR AMENDMENTS
Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 9, delete lines 9 through 27, both inclusive, in their entirety and insert in lieu thereof the following: "Section 25. Judiciary Commission"

Section 25. (A) There shall be a judiciary commission which shall have the power and duty to investigate misconduct on the part of any judge. The structure of the judiciary commission under the previous constitution is continued until changed by the legislature. The commission shall establish its own rules of procedure.

AMENDMENT No. 2—
On page 9, line 28, change the letter "(B)" to the letter "(D)"

AMENDMENT No. 3—
On page 10, line 14, change the letter "(P)" to the letter "(C)"

Delegate Duval moved the adoption of the amendment.

Delegate Willis objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham D'Gerolamo
Aerker De Bleu
Alexander Dunlap
Anzalone Duval
Arnette Fayard
Asseff Fulco
Bollinger Gauthier
Brien Girrusso
Brown Goldman
Burson Gursisco
Carmouche Jackson, A.
Casey June
Champlagne Landrum
Chesalain Landry, E. J.
Chehardt Lanier
Conroy Leigh
Coven Lowe

Total—51.

NAYS

Delegates—

Alario Heine
Avant Hernandez
Baddeaux Jack
Bel Jackson, J.
Bergeron Jenkins
Blair Kelly
Burns Kilbourne
Comino Kilpatrick
Corne Landry, A.
Denney LeBlanc
Dennis LeBreton
Deshotels Lennox
Drew Martin
Edwards Maubert
Elkins Miller
Flory Mire
Fontenot Newton
Fowler O'Neill
Ginn Orsos
Grier Perez
Hayes Planachard
Haynes Pugh

Total—64.

ABSENT

Delegates—

Mr. Chairman Kean
Armentor Lambert
Cannon Leithman
Derbes McDaniel
Gravel Munson
Hardie Rachal

Total—17.

And the amendments were rejected.

Delegate Willis moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Landrum sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Landrum and Singletary to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 9, delete line 19, in its entirety, and insert in lieu thereof the words "the governor."”

Delegate Landrum moved the adoption of the amendment.

Delegate Pugh objected.

By a vote of 47 yeas and 68 nays the amendment was rejected.

Delegate Pugh moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt and Hayes to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 9, delete lines 11 through 19, both inclusive in their entirety and insert in lieu thereof the following: “Section 25 (A) The Judiciary Commission shall consist of three citizens of the state of Louisiana who shall be appointed by the Supreme Court. There shall be one citizen appointed from each congressional district and one from the state at-large.”

Delegate Schmitt moved the adoption of the amendment.

Delegate Zervigon objected.

By a vote of 19 yeas and 93 nays the amendment was rejected.

Delegate Jack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 9, line 15, after the word “nor” and before the word “public” insert the word “elected”

Delegate Pugh moved the adoption of the amendment.

Delegate Alexander objected.

By a vote of 100 yeas and 8 nays the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 25, was read as amended.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman Clay
Armentor Leithman
Cannon Leithman
Derbes McDaniel
Gravel Munson
Hartode Rachel

Total—17.

354
By a vote of 26 yeas and 80 nays the amendments were rejected.

Delegate Landry moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 24, was read as amended.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman—

Gauthier

Perez

Aertker

Giarrusso

Perrin

Alexander

Ginn

Planchar

Anzalone

Goldman

Pugh

Arnette

Gravel

Rayburn

Asseff

Grier

Reeves

Avant

Guarisco

Roemer

Badeaux

Hardee

Roy

Bel

Haynes

Sandoz

Bollinger

Haynes

Schmitt

Brien

Heine

Shannon

Brown

Hernandez

Silverberg

Burns

Jenkins

Singletary

Burson

Juneau

Slay

Carmouche

Kean

Smith

Casey

Kelly

Soniat

Champagne

Kilbourne

Stagg

Charlaine

Kilpatrick

Stinson

Conino

Lambert

Stovall

Corroy

Landry, A.

Sutherland

Corne

Landry, E. J.

Tate

Cowen

LeBleu

Thistelthwaite

D’Gerolamo

LeBlanc

Tobias

De Blieux

LeBreton

Toomey

Dennery

Leighton

Toca

Dennis

Lennox

Ullo

Derbes

Lowe

Velasquez

Desholles

McDaniel

Vescich

Drew

Martin

Wall

Duval

Maubrert

Washington

Edwards

Mayard

Weiss

Elkins

Payard

Willis

Fontenot

Payne

Winchester

Fowler

Payne

Wisdom

Fulco

Perry

Zervigon

Total—113.

NAYS

Delegates—

Abraham—

Jackson, A.

Landrum

Alario—

Jackson, J.

Total—5.

ABSENT

Delegates—

Armentor—

Leithman

Tapper

Bergeron—

Rachal

Taylor

Blair—

Riecke

Wall

Cannon—

Robinson

Womack

Chehardy—

Stephenson

Total—14.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Stovall, the Convention altered the Order of Business to take up Committee Proposal No. 21, Section 24 at this time.


Section 24. A judge of the supreme court, court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his election, shall have been domiciled in the respective circuit or parish for at least two years immediately preceding election, and shall not practice law.

Read.

Delegate Pugh sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Pugh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprint as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 9, line 6, after the word “shall” and before the word “domicile” delete the words “have been” and insert in lieu thereof the word “be”

AMENDMENT No. 2—

On page 9, line 7, after the word “parish” delete the remainder of line 7, and at the beginning of line 9, delete “ing election,” and insert in lieu thereof the following: “at the time of qualification for election,”

Delegate Pugh moved the adoption of the amendments.

Delegate Drew objected.
As a substitute, Delegate Nunez moved that the Convention resolve itself into a Committee for a period of one-half hour in order to allow the Attorney General and a representative of the District Attorney’s Association to address the Committee for a period of 15 minutes each.

The vote recurred on the substitute motion.

By a vote of 85 yeas and 24 nays the Convention resolved itself into a Committee of the Whole for a period of one-half hour.

**Vice-Chairman Miller in the Chair**

The Committee rose.

**Constitution Business Resumed**

**Chairman Henry in the Chair**

*Section 26, Department of Justice; Composition; Attorney General; Election and Assistants*

Section 26. There shall be a department of justice consisting of an attorney general, first and second attorney general, and other necessary assistants and staff. The attorney general shall be elected for a term of four years at the state general election, and the assistants shall be appointed by the attorney general to serve at his pleasure.

The roll was called with the following result:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Zervigon to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 10, delete lines 17 through 24, both inclusive, in their entirety.

Delegate Zervigon moved the adoption of the amendment.

Delegate Stinson objected.

By a vote of 42 yeas and 68 nays the amendment was rejected.

Delegate Stinson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Stagg and Denney to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 10, delete lines 17 through 24, in their entirety, and insert in lieu thereof the following:

“Section 26. Powers and Duties of the Attorney General

Section 26. There shall be a department of justice, headed by the attorney general who shall be the state’s chief legal officer. As may be necessary for the assertion or protection of the rights and interests of the state, the attorney general shall have authority to:

1) institute, and prosecute or intervene in any legal actions or other proceedings, civil or criminal;

2) exercise supervision over the several district attorneys throughout the state; and

3) for cause, supersede any attorney representing the state in any civil or criminal proceeding.

He shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.”

Delegate Stagg moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham

Aeriker

Alicia

Alexander

Anzalone

Asseff

Avant

Badeaux

Bel

Blair

Bollinger

Bren

Brown

Burns

Burson

Carmouche

Champagne

Chatelain

Chehardy

Conino

Conroy

Core

Cowen

D’Gerolamo

Deshotels

Drew

Dunlap

Duvall

Edwards

Eikins

Jackson, A.

Jackson, J.

Landrum

Landry, E. J.

LeBreton

Leigh

Lennox

Rachal

Soniat

Stagg

Stovall

Sutherland

Tobias

Velazquez

Vick

Warren

**NAYS**

Delegates—

Foyard

Flory

Fontenot

Fowler

Fulco

Gauthier

Glarrusso

Ginn

Grier

Hardee

Hayes

Haynes

Heine

Henderson

Jack

Jenkins

Juneau

Kean

Kelly

Kiblore

Kilpatrick

Lambert

Landry, A.

Lanier

LeBlanc

Lowe

MCDaniel

Martin

Mauherret

Miller

Mire

Newton

Nunez

O’Neill

Ourso

Perez

Perkins

Planchard

Pugh

Rayburn

Reeves

Robinson

Romer

Roy

Sandoz

Schmitt

Segura

Shannon

Silverberg

Singletary

Sly

Smith

Stephenson

Stinson

Tapper

Thistlethwaite

Thompson

Toca

Toomy

Unio
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<table>
<thead>
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<th>Delegate</th>
<th>Winchester</th>
<th>Zervigon</th>
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#### ABSENT

- **Mr. Chairman**
  - Derbes
  - Tate
- **Armentor**
  - Leithman
  - Taylor
- **Bergeron**
  - Munson
  - Wall
- **Cannon**
  - Riecke
  - Total—11

And the amendment was rejected.

Delegate Kilbourne moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

#### Passage

**Committee Proposal No. 21, Section 26**, was read as amended.

Delegate Dennis moved the passage of the Section.

#### ROLL CALL

The roll was called with the following result:

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<th>YEAS</th>
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- **Mr. Chairman**
  - Derbes
  - Tate
- **Armentor**
  - Leithman
  - Taylor
- **Bergeron**
  - Munson
  - Wall
- **Cannon**
  - Riecke
  - Total—11

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

### Motion

On motion of Delegate Stovall, the Convention altered the Order of Business to take up Reports of Committees at this time.

#### Reports of Committees

The following reports of committees were received and read:

Delegate Alphonse Jackson, chairman, on behalf of the Committee on Bill of Rights and Elections, submitted the following report:

**State of Louisiana**

Constitutional Convention

of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Bill of Rights and Elections to submit the following report:

**COMMITTEE PROPOSAL No. 2—**

Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall, and Weiss:

A PROPOSAL

To provide a preamble and a declaration of rights to the constitution.

Reported by substitute.

Respectfully submitted,

ALPHONSE JACKSON, JR.

Chairman.

### Suspension of the Rules

On motion of Delegate Stovall the rules were suspended in order to take up the Proposal contained in the Committee Report at this time.

#### Reports of Committees Lying Over

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

**COMMITTEE PROPOSAL No. 2—**

Introduced by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL

To provide a preamble and a declaration of rights to the constitution.

Read.

Reported by substitute by the Committee on Bill of Rights and Elections.

The title to the substitute was as follows:

**COMMITTEE PROPOSAL No. 25—**

Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates
A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.

On motion of Delegates A. Jackson the substitute was adopted.

On motion of Delegate A. Jackson, and under a suspension of the rules, the Proposal was ordered engrossed and passed to its third reading.

COMMITTEE NOTICE
Delegate LeBreton, chairman of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:
The Committee on Legislative Liaison and Transitional Measures will meet on Thursday, August 23, 1973, at 7:45 o'clock A.M. in the State Room Lounge, White House Inn at a Dutch Treat Breakfast and will consider the following agenda:

AGENDA
To discuss the methods of transition with the members of the Coordinating Committee.

Respectfully submitted,
DELEGATE EDWARD F. LEBRETON, JR.
Chairman of the Committee on Legislative Liaison and Transitional Measures.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Wall—1 day.
Delegate Taylor—1 day.
Delegate Leithman—3 days.
Delegate Riecke—3 days.
Delegate Bergeron—½ day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Thursday, August 23, 1973 at 9:00 o'clock A.M.
Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, August 23, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

THIRTY-FIFTH DAY’S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 9:00 o’clock A.M.,
by the Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered
to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelein
Chehardy
Conine
Conroy
Corne
Cowen
D’Gerolamo
De Blieux
Denny
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler

Fulco
Gauthier
Giarrusso
Ginn
Goldman
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kippatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBleu
LeBreton
Leigh
Lennox
Lowe
McDaniel
Martin
Maubert
Miller
Mire
Monson
Newton
Nunez
O’Neill
Ourso
Perez

Perkins
Planchard
Pugh
Rachal
Rayburn
Reeves
Robinson
Roemer
Roy
Sandoz
Schmit
Segura
Shannon
Silverberg
Singietary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Taylor
Thistlethwaite
Thompson
Tobias
Toon
Toomy
Ulo
Velazquez
Vesch
Vick
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

ABSENT

Delegates—
Armentor
Leithman

Riecke
Wall

Total—128.

Total—4.

The Chairman announced that there were 128 members
present and a quorum.

Prayer

Prayer was offered by Delegate Willis.

Pledge of Allegiance

Delegate Thistlethwaite led the Convention in reciting
the Pledge of Allegiance to the Flag of the United States
of America.

Reading of the Journal

On motion of Delegate Schmitt, the reading of the Journal
was dispensed with.

On motion of Delegate Schmitt, the Journal of yesterday
was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and
read:

Delegate Tom Stagg, chairman, on behalf of the Committee
on Executive Department, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the
Constitutional Convention:

I am directed by your Committee on Executive Depart-
ment to submit the following report:

COMMITTEE PROPOSAL No. 22—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee
on Executive Department, and Delegates Abraham, Alexander Anzalone, Arnette, Brien, Denney, Duval,
Gravel, Stovall, and Tapper:

A PROPOSAL

Making provisions for a code of ethics and the Louisiana
Board of Ethics.

Reported favorably.

COMMITTEE PROPOSAL No. 23—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee
on Executive Department, and Delegates Abraham, Arnette, Brien, Denney, Gravel, Stovall, and Tapper:

A PROPOSAL

Prohibiting dual employment and dual officeholding in state
and local government.

Reported favorably.

Respectfully submitted,
TOM STAGG,
Chairman.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals
on second reading to be referred to committees were taken
up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 29—

Introduced by Delegate Asseff:

A PROPOSAL

Providing for the reorganization of the executive branch of
state government.

Read.

Under the rules the above Proposal was referred to the
Committee on Executive Department.

DELEGATE PROPOSAL No. 30—

Introduced by Delegate Edward N. Lennox:

A PROPOSAL

Relative to levee districts

Read.
Delegate Jenkins objected.

By a vote of 9 yeas and 99 nays the Convention refused to order the previous question at this time.

Delegate Stagg moved the adoption of the amendment.

Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate proposals were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Abraham, Alexander, Arnette, Avant, Bel, Blair, Brien, Carmouche, Chatelain, Chehardy, Conino, D’Gerolamo, Denbery, Derbes, Dunlap, Duval, Elkins, Flory, Giarrusso, Ginn, Goldman, Gravel, Guarisco, Hardee, Haynes, A. Jackson, A. Jackson, D. Landry, LeBreton, McDaniel, Mauherret, Miller, Mire, Munson, Newton, Pugh, Rachal, Roy, Schmitt, Silverberg, Stagg, Stovall and Tapper:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Delegate Munson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Abraham, Alexander, Arnette, Avant, Bel, Blair, Brien, Carmouche, Chatelain, Chehardy, Conino, D’Gerolamo, Denbery, Derbes, Dunlap, Duval, Elkins, Flory, Giarrusso, Ginn, Goldman, Gravel, Guarisco, Hardee, Haynes, A. Jackson, A. Jackson, D. Landry, LeBreton, McDaniel, Mauherret, Miller, Mire, Munson, Newton, Pugh, Rachal, Roy, Schmitt, Silverberg, Stagg, Stovall and Tapper:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Delegate Munson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Henry, Abraham, Alexander, Arnette, Avant, Bel, Blair, Brien, Carmouche, Chatelain, Chehardy, Conino, D’Gerolamo, Denbery, Derbes, Dunlap, Duval, Elkins, Flory, Giarrusso, Ginn, Goldman, Gravel, Guarisco, Hardee, Haynes, A. Jackson, A. Jackson, D. Landry, LeBreton, McDaniel, Mauherret, Miller, Mire, Munson, Newton, Pugh, Rachal, Roy, Schmitt, Silverberg, Stagg, Stovall and Tapper:

A PROPOSAL

Providing for the executive branch of government, for the filling of vacancies in certain public offices, and with respect to dual office-holding, a code of ethics, and impeachment.

Read.

Delegate Munson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
The amendment not having received the vote of a majority of the total membership of the Convention required to pass a Section to a Proposal was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 11, in Convention Floor Amendment proposed by Mr. Henry, et al., and adopted by the Convention on August 23, 1973, on line 7, of the text of Section 23, added thereby, immediately after the words and punctuation “It may,” insert the following: “after such election,”

On motion of Delegate Stagg the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Weiss sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Weiss, Jenkins, Bollinger, J. Jackson, Stinson and O'Neill to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 11, in Convention Floor Amendment No. 1, proposed by Delegate Henry, et al., and adopted by the Convention on August 23, 1973, on line 3, after the words and punctuation “of each house,” and before the words “provide for,” insert the words and punctuation “and approval by a statewide referendum.”

Delegate Tobias moved the previous question on the amendment.

Delegate Wiess objected.

By a vote of 68 yeas and 48 nays and the previous question was ordered.

Delegate Weiss moved the adoption of the amendment.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**ABSENT**

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361
Delegates—
Alario
Badeaux
Bergeron
Burns
Cannon
Corne
Dennis
Deshotel
Drew
Elkins
Fayard
Fontenot
Fulco
Gauthier
Grier

Total—53.

NAYS
Giarrusso
Ginn
Goldman
Gravel
Guiraco
Haynes
Hernandez
Jackson, A.
Juneau
Kean
Kelly
Kilpatrick
Landry, A.
Landry, E. J.
LeBreton
Lennox
McDaniel
Martin
Maubret
Mire
Newton
Pugh

Winchester
Roy
Sandoz
Schmitt
Segura
Silverberg
Slay
Soniat
Stephenson
Stovall
Sutherland
Tapper
Tobias
Toca
Veitch
Vick
Wilius
Wisham
Womack
Zervigon

Delegates—
Abraham
Alexander
Anzalone
Arnette
Assié
Avant
Bel
Blair
Bollinger
Brien
Burton
Carmouche
Casey
Champagne
Chehardy
Chateau
Conin
Conroy
Cowen
De Blieux
Denmen
Derbes
Dunlap
Duval
Edwards
Flory

Total—69.

ABSENT
Leithman
Munson
Rachel
Riecke
Taylor
Wall

And the amendment was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

 Amendment proposed by Delegate Jenkins to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 11, in Floor Amendment No. 1, proposed by Delegate Henry, et al., and adopted by the Convention on August 23, 1973, on line 4, after the words and punctuation “of election, of the” delete the words and punctuation “state superintendent of education, the”

**Motion**

Delegate Schmitt moved the previous question on the entire subject matter.

Delegate A. Jackson objected.

By a vote of 16 yeas and 96 nays the Convention refused to order the previous question on the entire subject matter at this time.

Delegate O’Neill moved the adoption of the amendment.

Delegate Gravel objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**
Hayes
Heine
Jack
Jenkins
Juneau
Kean
Kilbourne
Lambert
Lanier
Leigh
Lennox
Lowe
Nunez
O’Neill
Perkins
Planchard
Rayburn
Robinson
Roemer
Singletary
Smith
Stephenson
Stinson
Thistlethwaite
Thompson
Toomy
Ullo
Warren
Weiss
Winchester

**NAYS**
Flory
Fowler
Goldman
Ginn
Gravel
Guiraco
Haynes
Hernandez
Jackson, A.
Jackson, J.
Kelly
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
McDaniel
Maubret
Miller
Mire
Munson
Newton
Perez
Reeves
Roy
Sandoz
Schmitt
Segura
Silverberg
Slay
Soniat
Stagg
Stovall
Sutherland
Tapper
Tate
Tobias
Veitch
Wilius
Veitch
Vick
Wilius
Womack
Zervigon

Delegates—
Mr. Chairman
Aertker
Armorer
Chatelain

Total—10.

**ABSENT**

Leithman
Munson
Rachel
Riecke
Taylor
Wall

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alario sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

 Amendment proposed by Delegate Alario to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 11, after line 23, strike out Convention Floor Amendment No. 1 proposed by Mr. Henry, et al. and adopted by the Convention of August 23, 1973, add the following:

**Section 23. Appointment of Officials; Merger, Consolidation of Offices and Departments**

Section 23. After the first election of state officials following adoption of this constitution, the legislature may, by a favorable vote of two-thirds of the elected members of each house, provide for appointment, in lieu of election, of the state superintendent of education, the commissioner of agriculture, the state commissioner of elections, or any of them. In such event the legislature shall prescribe qualifications and method of appointment. It may after such
elected, by similar vote, provided that any such offices, their departments and functions be merged or consolidated with any other office or department in the executive branch. No action of the legislature, pursuant hereto, shall reduce the term or compensation of any elected official. By a vote of two-thirds of the elected members of each house, the legislature may reestablish any of such offices as an elective office and, in such event, shall prescribe qualifications."

Delegate Alario moved the adoption of the amendment.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS
Delegate—
Abraham—Jack Robinson
Assenff—Jenkins Roemer
Bollinger—Kilbourne Singlelery
Burns—Lambert Stephenson
Corne—Leigh Stinson
Drew—Lowe Toomy
Fayard—Nunez Ulio
Fulco—O'Neill Weiss
Gauthier—Perez Winchester
Grier—Perkins
Heine—Rayburn
Total—31.

NAYS
Delegate—
Abraham—Flory Pugh
Alexander—Foncrot Reeves
Arnette—Fowler Roy
Avant—Giarrusso Sandoz
Badeaux—Ginn Schmitt
Bel—Goldman Segura
Bergeron—Gravel Shannon
Blair—Guarisco Silverberg
Brien—Hardee Slay
Brown—Hayes Smith
Burson—Haynes Soniat
Cannon—Hernandez Stagg
Carmouche—Jackson, A. Stovall
Casey—Jackson, J. Sutherland
Champagne—Juneau Tapper
Chatailein—Kean Tate
Chehardy—Kelly Thistlethwaite
Conino—Kilpatrick Thompson
Conroy—Landrum Tobias
Cowen—Landry, A. Toca
DeGeralamo—Landry, E. J. Toca
DeBleux—LeBreton Velazquez
Denenery—Lennox Vesci
Dennis—McDaniel Vick
Derbes—Miller Willis
Deshotels—Monson Wisham
Dunlap—Newton Womack
Duval—Planchard Zervigon
Elkins—Rachu
Total—83.

ABSENT
Delegate—
Mr. Chairman—Leithman Riecke
Aertker—Martin Taylor
Anzalone—Mauberret Wall
Armenter—Mire Warren
Edwards—Ours Riecke
LeBleu—Rachal
Total—16.

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Drew to Committee Proposal No. 4 by Delegate Stagg, et al.

Amend reprinted as reengrossed Proposal as follows:

AMENDMENT No. 1—
In Floor Amendment No. 1, proposed by Delegate Henry, et al., and adopted by the Convention on August 23, 1973, on line 7, after the word "appointment" delete the following: "It may," and insert in lieu thereof the word "and"

AMENDMENT No. 2—
In Floor Amendment No. 1, proposed by Delegate Henry, et al., and adopted by the Convention on August 23, 1973, on line 8, after "similar vote," and before the word "provide" insert the word "may"

AMENDMENT No. 3—
Delete Floor Amendment No. 1 proposed by Delegate Stagg to Floor Amendment No. 1 proposed by Mr. Henry and adopted by the Convention on August 23, 1973.

On motion of Delegate Drew the amendment was adopted.

Delegate Haynes moved to reconsider the vote by which the amendments were adopted.

Delegate Stagg objected.

By a vote of 32 yeas and 78 nays the Convention refused to reconsider the vote by which the amendment was adopted.

Passage

Committee Proposal No. 4, Section 23, was read as amended.

Delegate Stagg moved the passage of the Section.

ROLL CALL

The roll was called with the following results:

YEAS
Delegate—
Mr. Chairman—Fulco Roy
Armenter—Giarrusso Sandoz
Arnette—Ginn Segura
Assenff—Goldman Shannon
Bollinger—Gravel Silverberg
Burns—Hardee Slay
Brien—Haynes Smith
Brown—Hernandez Soniat
Burson—Jackson, A. Stagg
Conino—Jackson, J. Stovall
Carmouche—Kelly Sullivan
Casey—Kilbourne Sutherland
Champagne—Kilpatrick Tapper
Chatailein—LeBreton Thistlethwaite
Chehardy—Lennox Thompson
Conino—McDaniel Tobias
Conroy—Mire Toca
Cowen—Monson Velazquez
DeGeralamo—Newton Vesci
DeBleux—Ours Vick
Denenery—Planchard Willis
Dennis—Perez Wisham
Derbes—Rachal Womack
Deshotels—Riecke Zervigon
Duval—Riewe
Elkins—Stagg
Total—79.

NAYS
Delegate—
Mr. Chairman—Badeaux
Armenter—Anzalone
Assenff—Aertker
Bollinger—Armentor
Total—16.

Cannon—Corne
Dennis—Drew
Deshotels—Fayard
Fontenot—Gauthier
Grier—Heine
Jack—LeBleu
Kean—Mauberret
Mire—Taylor
Munson—Wall
Newton—Warren
Ours—Riecke
Planchard—Taylor
Rachal—Wall
Riecke—Warren
Rachal—Womack
Riewe—Zervigon

363
Lambert
Lanier
Leigh
Lowe
Miller
Nunez
O'Neill
Total—40.
Delegates—
Aertker
Armentor
Edwards
Guarisco
LeBleu
Total—13.

And the Chair declared that the above Section was passed.

Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Gravel moved the previous question on the entire proposal.

Delegate De Blieux objected.

By a vote of 90 yeas and 26 nays the previous question on the entire proposal was ordered.

The Proposal was read.

Delegate Stagg moved the final passage of the entire Proposal

ROLL CALL
The roll was called with the following result:

YEAS
Mr. Chairman
Abraham
Alexander
Arnette
Avant
Badeaux
Bel
Blair
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Cox
D'Gerolamo
De Blieux
Dennessy
Dennis
Derbes
Dunlap
Duvall
Flory
Fowler
Total—82.

NAYS
Delegates—
Arario
Anzalone
Azef
Bergeron
Bollinger
Cannon

Kilpatrick
Lambert
Lanier
LeBlanc
Leigh
Lowe
Miller
Total—38.
Delegates—
Aertker
Armentor
Edwards
Guarisco
Total—12.

And the Chair declared that the above Proposal was finally passed.

Motion
On motion of Delegate Dennis, the Convention altered the Order of Business to take up Unfinished Business at this time.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals Delegate and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Bunt, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ours, Sandoz, Tate, and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL
Making provisions for the judiciary branch of government Read.

The chairman announced that the Convention had under consideration the above proposal when it adjourned on Wednesday, August 22, 1973, which was taken up and acted upon as follows:

Section 27. Attorney General: Powers and Duties; Vacancy
Section 27. (A) The attorney general shall be the state's chief legal officer. As may be necessary for the assertion or protection of the rights and interests of the state, the attorney general shall have authority to:
(1) institute and prosecute or intervene in any civil actions or proceedings;
(2) advise and assist, upon request of a district attorney, in the prosecution of a criminal case; and
(3) for cause when authorized by the court of original jurisdiction in which any proceeding is pending, subject to judicial review, supercede any attorney representing the state in any civil or criminal action.

He shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

(B) In case of a vacancy in the office of attorney general, the first assistant attorney general shall perform the duties of the office until his successor is elected and qualified.

Read.

Vice Chairman Casey in the Chair
Delegate Gauthier sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Gauthier, Arario, Tap, Conino, Toea, D'Gerolamo, Nunez, Ullo, Toomy,
35th Days Proceedings—August 23, 1973

Leithman, Bollinger, Deshotels, Perez, Perkins and Velazquez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 11, delete lines 3 through 6, both inclusive, in their entirety.

Delegate Gauther moved the adoption of the amendment.
Delegate Avant objected.
By a vote of 45 yeas and 71 nays the amendment was rejected.

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Newton sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Newton and Roy to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 11, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:
“(2) exercise supervision over the several district attorneys throughout the state and, upon the request of any district attorney, advise and assist in the prosecution of any criminal case, and”

Delegate Newton moved the adoption of the amendment.
Delegate Burns objected.
By a vote of 16 yeas and 94 nays the amendment was rejected.

Delegate Burns moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jack sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Jack to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 11, between lines 6 and 7, insert the following:
“(4) for cause when authorized by the court of original jurisdiction, subject to judicial review, institute, and prosecute, or intervene in any criminal action or proceeding.”

Delegate Jack moved the adoption of the amendment.
Delegate Kilbourne objected.
By a vote of 40 yeas and 74 nays the amendment was rejected.

Delegate Kilbourne moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair
Delegate Toomy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Toomy to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 11, at the end of line 9, delete the period “,” and insert the following:
“not inconsistent with the provisions hereof.”

Delegate Toomy moved the adoption of the amendment.
Delegate Roy objected.
By a vote of 30 yeas and 81 nays the amendment was rejected.

Delegate Tobias moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Perez to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend Reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 11 line 2, after the word “for” and before the word “cause” insert the word “proven”

AMENDMENT No. 2—
On page 11 line 3, after the word “by” and before the word “the” insert “a majority of the judges of”

Motion
On motion of Delegate Stovall a division of the question was ordered.

Delegate Perez moved the adoption of the amendment No. 1.
Delegate Dennis objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following results:

YEAS

Fowler

Fulco

Gauthier

Ginn

Goldman

Hernandez

Jenkins

Kean

Kelly

Lambert

Martin

Mire

Nunez

O’Neill

Oursa

Perez

Perkins

Planchard

Pugh

Delegates—

Alario

Anzalone

Arnette

Asseff

Badeaux

Balog

Bergeron

Brown

Burns

Burson

Chatelain

Chehardy

Conino

D’Gerolamo

Deshots

Drew

Edwards

Elkins

Fayard

Total—55.

NAYS

Denmer

Dennis

Derbes

Duhan

Duvall

Flory

Fontenot

Giarrusso

Gravel

Grier

Guirisco

Hayes

Haynes

Delegates—

Abraham

Alexander

Avant

Blair

Bollinger

Bren

Carmouche

Casey

Champagne

Conroy

Corne

Cowen

DeBlieux

Delegates—

Jack

Jackson, A.

Jackson, J.

Juncau

Kilbourne

Kilpatrick

Landry, A.

Landry, E. J.

Lanier

LeBlanc

Leigh

Lennox

Lowe

365
### 35th Days Proceedings—August 23, 1973

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And the amendment was rejected.

Delegate Pugh moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennis to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 11, line 4, immediately after the word "proceeding" and before the word "is" insert the words "or affidavit".

Delegate Dennis moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 70 yeas and 39 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Arnette to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 11, delete lines 10 through 13, both inclusive, in their entirety.

On motion of Delegate Arnette the amendment was adopted.

Delegate Arnette moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 27, was read as amended.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**DELEGATES—**

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Delegate Kelly sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Deshotels, Landry, Gauthier and Kelly to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 11, line 14, after the word “Qualifications;” add the words “Duties and Functions;”

**AMENDMENT No. 2—**
On page 11, line 16, after the word and numeral “Section 26;” add “(A)”

**AMENDMENT No. 3—**
On page 11, between lines 23 and 24, add the following:

“(B) A district attorney has entire charge and control of every criminal prosecution instituted or pending in his district, and shall represent concurrently with the attorney general the state in all civil actions instituted or pending in his district.

(C) The district attorney shall be the representative of the state before the grand jury in his district, and shall be its sole legal advisor.

(D) A district attorney shall perform such other duties as may be provided by law.”

On motion of Delegate Kelly the amendments were withdrawn.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 11, line 22, immediately after the word “personnel” insert a period “,” and delete the remainder of the line and delete line 23 in its entirety

On motion of Delegate Gravel the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Arnette to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 11, line 19, immediately after the word “least” and before the word “years” delete the word “five” and insert in lieu thereof the word “three”

Delegate Arnette moved the adoption of the amendment.

Delegate Dennis objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<th>Delegates</th>
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<td>Bergeron</td>
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<tr>
<td>Bollinger</td>
<td>Derbes</td>
<td>Grier</td>
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</tr>
</tbody>
</table>
Gbaiso
Hayes
Haynes
Jackson, A.
Jackson, J.
Jenkins
Kean
Landry, A.
Lanier
LeBlanc

Total—51.

Delegates—
Alario
Asseff
Avant
Badeaux
Barnes
Burson
Chataigneau
Chehardy
Conivic
Conroy
Corne
Cowen
DeBesse
DeBlanc
Dennis
Deshotel
Duhan
Diggins
Eighard
Flory

Total—63.

Delegates—
Mr. Chairman
Achter
Armento
Cannon
Hardee
Heine

Total—18.

And the amendment was rejected.

Delegate Kilbourne moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate DeBlanc moved up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate DeBlanc to Committee Proposal No. 2 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 11, line 20, after the word "peronnel" and before the word "shall," insert the word "and," and insert in lieu thereof a comma "."

AMENDMENT No. 2—

On page 11, line 21, after the word "peronnel" change the period "." to a comma "," and add the following: "and shall not engage in private practice of law."

Motion

Delegate Smith moved the previous question on the amendment.

Delegate Gravel objectd.

By a vote of 18 yeas and 44 nays the Convention refused to order the previous question at this time.

Delegate DeBlanc moved the adoption of the amendment.

Delegate Duhan objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Badeaux
Bergeron
Bollinger
Conovic
Conroy
DeBlanc
Duhan
Eighard
Foyard
Flory

Total—33.

Delegates—
Mr. Chairman
Aharn
Alexander
Arnet
Asseff
Avant
Bel
Blair
Bren
Brown
Burn
Carmouche
Casey
Champagne
Chataigneau
Chehardy
Corne
Cowen
D'Eg.deBlanc
Dennery
Deshotel
Drew
Duhan
Edwards
Eighard

Total—76.

ABSENf

Delegates—
Achter
Anzalone
Armento
Burson
Cannon

Total—51.

Amendments proposed by Delegate DeBlanc to Committee Proposal No. 2 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 11, line 20, after the word "peronnel" and before the word "shall," delete the word "and," and insert in lieu thereof a comma "."

AMENDMENT No. 2—

On page 11, line 21, after the word "peronnel" change the period "." to a comma "," and add the following: "and shall not engage in private practice of law."

Motion

Delegate Smith moved the previous question on the amendment.

Delegate Gravel objectd.

By a vote of 18 yeas and 44 nays the Convention refused to order the previous question at this time.

Delegate DeBlanc moved the adoption of the amendment.

Delegate Duhan objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Badeaux
Bergeron
Bollinger
Conovic
Conroy
DeBlanc
Duhan
Eighard
Foyard
Flory

Total—33.

Delegates—
Mr. Chairman
Aharn
Alexander
Arnet
Asseff
Avant
Bel
Blair
Bren
Brown
Burn
Carmouche
Casey
Champagne
Chataigneau
Chehardy
Corne
Cowen
D'Eg.deBlanc
Dennery
Deshotel
Drew
Duhan
Edwards
Eighard

Total—76.

ABSENf

Delegates—
Achter
Anzalone
Armento
Burson
Cannon

Total—51.
35th Days Proceedings—August 23, 1973

Munson  Taylor  Wisham
Rachal  Wall  Womack
Richee  Weiss
Total—23.

And the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendments were rejected and on his own motion, the motion to reconsider was laid on the table.

**Explanation of Vote**

Delegate Fayard sent up the following explanation of vote:

> "I wish the record to reflect the fact that I have abstained from voting on Floor Amendment No. 1 and No. 2 proposed by Delegate De Blieux as my position as an assistant district attorney creates a personal interest in this amendment."

CALVIN FAYARD

Delegate Kilbourne sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Kilbourne, Nunez, Gravel and Toomy to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 11, line 14, after the word “Qualifications;” add the words “Duties and Functions;”

**AMENDMENT No. 2—**

On page 11, line 16, after the word and numeral “Section 28,” add “(A)”

**AMENDMENT No. 3—**

On page 11, between lines 23 and 34, add the following:

> "(B) A district attorney shall have charge and control of every criminal prosecution in his district and shall perform such other duties as may be provided by law

(C) The district attorney shall be the representative of the state before the grand jury in his district and shall be its legal advisor."

On motion of Delegate Kilbourne the amendments were withdrawn.

**Passage**

Committee Proposal No. 21, Section 28, was read, as amended.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman  Burson  Dunlap  Stephenson
Abraham  Carmouche  Duval  Stinson
Alario  Casey  Edwards  Stovall
Alexander  Champagne  Elkin  Sutherland
Anzalone  Chatelain  Fayard  Tappner
Arnette  Chehardy  Flory  Tate
Aissef  Conino  Fontenot  Thistlewhite
Avant  Conroy  Fowler  Thompson
Badeaux  Corne  Fulco  Tobia
Bel  Cowen  Gauthier  Toomy
Bergeron  D’Gerolamo  Girardurso  Ule
Blair  De Blieux  Glenn  Velazquez
Bollinger  Denning  Goldman  Vesich
Brien  Dennis  Gravel  Vick
Brown  Deshotels  Grier  Warren
Burns  Drew  Guarisco  Willis

NAYS—

Delegates—

Jackson, A.  Total—3.

ABSENT—

Delegates—

Aertker  Landrum  Silverberg
Armentor  LeBreton  Taylor
Cannon  Leithman  Wall
Derbes  Maubertet  Weiss
Hardee  Munson  Womack
Heine  Rachal
Lambert  Richee  Zervigon

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Dennis, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

**Introduction of Resolutions**

**Delegate and Committee Resolution**

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

**COMMITTEE RESOLUTION No. 11—**

Introduced by Delegate LeBreton, Chairman, on behalf of the Committee on Legislative Liaison and Transitional Measures, and Delegate Henry, Chairman, on behalf of the Coordinating Committee, and Delegates Aertker, Blair, Casey Dennis, D’Gerolamo, Drew, Fayard, Hardee, A. Jackson, J. Jackson, Lambert, Lanier, LeBleau, Lennox, Miller, Munson, Perez, Rayburn, Smith, Stagg, Thompson, Vick, Womack and Zervigon:

A RESOLUTION

To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921.

Read.

Lies over under the rules.

**Motion**

On motion of Delegate Stovall, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.
Commttee Proposal No. 26—

Indorsed by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance, and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubreuet, Mire, Nunez, Planchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read:

Lies over under the rules.

Delegate Denney, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

Committee Proposal No. 4—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Arnette, Brien, Denney, Duval, Gravel, Stovall, and Tapper:

A PROPOSAL

Providing for the executive branch of government, for the declaration and determination of inability of statewide elective officers, and related matters.

Be adopted by the Constitutional Convention of Louisiana of 1973:

Article IV. Executive Branch
Section 1. Composition
Section 1. (A) The executive branch shall consist of the governor, lieutenant governor, secretary of state, treasurer, commissioner of agriculture, commissioner of insurance, superintendent of education, commissioner of elections, and all other executive offices, agencies, and instrumentalities of the state.

(B) All offices, agencies, and other instrumentalities of the executive branch of state government and their respective functions, powers, duties, and responsibilities, except for the offices of governor and lieutenant governor, shall be allocated, according to function, within not more than twenty departments.

Section 2. Qualifications
Section 2. (A) To be eligible for any statewide elective office a person must have attained the age of twenty-five years by the date of his qualification as a candidate for office, be an elector and be a citizen of the United States and of this state for at least five years immediately preceding the date of his qualification as a candidate for office. He shall hold no other public office, except by virtue of his office, during his tenure in office.

(B) The attorney general shall be the state's chief legal officer, head the department of justice, and shall have been admitted to the practice of law in this state for at least the five years immediately preceding his election.

Section 3. Elections and Terms
Section 3. (A) The governor, lieutenant governor, secretary of state, attorney general, commissioner of agriculture, commissioner of elections, commissioner of insurance, superintendent of education and treasurer shall each be elected for a term of four years by the electors of the state, at the time and place of voting for members of the legislature. A person who has served as governor for more than one and one-half terms in two consecutive terms shall not be elected governor for the next succeeding term.

(B) The term of office of each elected official enumerated in this section shall begin at noon on the second Monday in March next following the election.

(C) No official shall be elected statewide, except as provided by this constitution.

Section 4. Compensation
Section 4. Except as otherwise provided in this constitution, the compensation of each elected official shall be fixed by the legislature.

Section 5. Powers and Duties of Governor
Section 5. (A) Executive Authority. The governor shall be the chief executive officer of the state and shall faithfully support the constitution and laws of the state and the United States.

(B) Legislative Reports and Recommendations. The governor shall, at the beginning of each regular session of the legislature, and may at other times, make reports and recommendations to the legislature concerning the affairs of state, including its complete financial condition.

(C) Reports and Information. Any department head shall provide the governor with reports and information, in writing or otherwise, whenever requested by him on any subject relating to such department, excepting matters relating to investigations of the governor's office.

(D) Operating Budget. The governor shall submit to the legislature, at a time fixed by law, a proposed state budget for the next fiscal year setting forth all proposed state expenditures and anticipated state revenues.

(E) Capital Budget. The governor shall submit to each regular session of the legislature a proposed five-year capital outlay program with a request for implementation of the first year of the five-year program.

(F) Pardon, Commutation, Reprieve, and Remission; Board of Pardons. (1) The governor shall have the power to grant reprieves to those convicted of offenses against the state and upon the recommendation of the Board of Pardons may grant commutation of sentence, may pardon those convicted of offenses against the state and may remit fines and forfeitures imposed for such offenses; provided, however, that each first offender who has never previously been convicted of a felony shall be eligible for pardon automatically upon completion of his sentence without the aforementioned recommendation.

(2) The Board of Pardons shall consist of five elected members appointed by the governor, subject to confirmation by the Senate. Members of such board shall serve a term concurrent with that of the governor appointing them.

(G) Receipt of Bills from the Legislature. The date and hour when a bill passed by the legislature is delivered to the governor shall be endorsed thereon.

(H) Item Veto. (1) The governor may veto any line item in an appropriation bill. The items vetoed shall be void unless the veto is overridden as prescribed for the passage of any bill over a veto.

(2) The governor shall either veto line items, or use other means provided in the bill, in order that total appropriations for the year shall not exceed anticipated revenues for the year.

(1) Appointment. (1) The governor shall appoint, subject to confirmation by the Senate, the heads of all departments in the executive branch whose election or appointment is not provided for by this constitution and all members of boards and commissions in the executive branch whose election or appointment is not otherwise provided for by this constitution or by statute.

(2) Should the legislature be in session, the governor shall submit for confirmation by the Senate the names of those appointed within forty-eight hours after the appointment is made. Failure of the Senate to confirm, prior to the end of the session, shall constitute rejection of the appointment.

(3) Should the legislature not be in session, the governor may make interim appointments, which shall expire at the end of the next session of the legislature, unless submitted to and confirmed by the Senate during such session.

(4) A person not confirmed by the Senate shall not be appointed to the same office during any recess of the legislature.

(J) Removal. The governor may remove from office those whom he appoints, except those appointed for a term fixed by this constitution or as may be fixed by statute.

(k) Commander-in-Chief. The governor shall be commander-in-chief of the armed forces of the state, except when they are called into service of the federal government. He shall give the public notice of the state to preserve law and order, to suppress insurrection, to repel invasion, or in other times of emergency.

(L) Other Powers and Duties. The governor shall have
such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Section 6. Powers and Duties of the Lieutenant Governor
Section 6. The lieutenant governor shall serve ex officio as a member of the board of supervisors of any of the boards of supervisors to which the governor serves, exercise the powers delegated to him by the governor, and have such other powers and perform such other duties in the executive branch as may be authorized by this constitution or provided by statute.

Section 7. Powers and Duties of the Secretary of State
Section 7. There shall be a department of state headed by the secretary of state, who shall be the chief election officer of the state and shall prepare and certify the ballots for all elections and perform all election returns; administer the election laws except for those relating to voter registration and custody of voting machines; administer the state corporation and trademark laws; serve as keeper of the Great Seal of the State of Louisiana and attest therewith all official laws, documents, proclamations, and commissions; administer and preserve the official archives of the state; promulgate, publish, and retain the original of all laws enacted by the legislature; and countersign all commissions and keep an official registry of same. He may administering oaths, and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Section 8. Powers and Duties of the Attorney General
Section 8. There shall be a department of justice headed by the attorney general who shall be the state's chief legal officer.

Section 9. Powers and Duties of the Treasurer
Section 9. There shall be a department of treasury headed by the state treasurer who shall be responsible for the custody, investment, and disbursement of the public funds of the state, except as otherwise provided by this constitution. He shall report annually to the governor and the legislature at least one month in advance of the regular session on the financial condition of the state, and shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Section 10. Powers and Duties of the Commissioner of Agriculture
Section 10. There shall be a department of agriculture headed by the commissioner of agriculture, who shall exercise all functions of the state in relation to the promotion, protection, and advancement of agriculture except such research and educational functions expressly allocated by this constitution or by statute to other state agencies. The department shall exercise such functions and the commissioner shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Section 11. Powers and Duties of the Commissioner of Insurance
Section 11. There shall be a department of insurance headed by the commissioner of insurance. The department shall exercise such functions and the commissioner shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Section 12. Department of Elections and Registration
Section 12. There shall be a department of elections and registration headed by the state commissioner of elections who shall administer the laws relative to custody of voting machines and voter registration. The commissioner shall have such powers and perform such duties as may be authorized by this constitution or provided by statute.

Section 13. First Assistants
Section 13. Each statewide elected official, except the governor and lieutenant governor, shall appoint a first assistant, subject to public confirmation by the Senate, and may remove him. The governor submits appointments, and shall be subject to the same procedures and limitations in connection therewith as are imposed upon the governor. The first assistant shall possess the same qualifications as those required for election to that office.

Section 14. Vacancy in Office of Governor
Section 14. The order of succession of the office of governor in the event of vacancy shall be (1) the elected lieutenant governor, (2) the elected secretary of state, (3) the elected attorney general, (4) the elected treasurer, (5) the presiding officer of the Senate, (6) the presiding officer of the House of Representatives, and then as may be provided by law. Successors shall retain the remaining term for which the governor was elected.

Section 15. Vacancy in Office of Lieutenant Governor
Section 15. Whenever there is a vacancy in the office of the lieutenant governor, the governor shall nominate a lieutenant governor, who shall take office upon confirmation by a majority vote of the elected members of each house of the legislature.

Section 16. Vacancies in Other statewide Elective Offices
Section 16. A vacancy in any statewide elective office, other than that of governor or lieutenant governor, shall be filled by the first assistant of such official; however, if the unexpired term remaining is more than one year, the office shall be filled by election held at the next regularly scheduled congressional election or statewide election, and the first assistant shall serve only until the person then elected takes office.

Section 17. Other Vacancies
Section 17. (A) Should no other provision therefor be made by this constitution, by statute, by local government charter, or any charter or plan of government, or by ordinance, the governor shall have the power to fill any vacancy occurring in any elective office. If, at the time a vacancy occurs in such office, the unexpired portion of the term of office is more than one year, the vacancy shall be filled at an election, as may be provided by statute. The appointment provided for herein shall be effective only until a successor is duly elected and qualified.

(B) Nothing in this Section shall be construed as changing the qualifications for the various offices involved, and all appointments must be of persons who otherwise would be eligible to hold offices which they are appointed.

Section 18. Definition of Vacancy
Section 18. A vacancy as used in this constitution shall occur in the event of death, resignation, removal by any means, or the failure to take office for any reason.

Section 19. Declaration of Inability
Section 19. Whenever a statewide elective official transmits to the presiding officer of the Senate and the presiding officer of the House of Representatives a written declaration that he is unable to discharge the powers and duties of the office until he transmits to them a written declaration to the contrary, the person shall be considered to have vacated the office. The event of a vacancy shall assume the powers and duties of the office as acting official.

Section 20. Determination of Inability
Section 20. (A) Whenever a majority of the statewide elected officials determine that any other such official is unable to discharge the powers and duties of his office, they shall transmit to the presiding officer of each house of the legislature and to such official, and shall file in the office of the secretary of state, their written declaration that such official is unable to perform the duties of his office. Thereafter the constitutional successor shall assume the office as acting official unless, within forty-eight hours after such filing in the office of the secretary of state, such official files in said office and transmits to the presiding officers his written counter-declaration that he is able to exercise such powers and perform such duties.

(B) The legislature shall convene at noon on the third calendar day after the filing of any counter-declaration, which may be filed by such official at any time. Should two-thirds of the elected members of each house of the legislature fail to adopt a resolution within seventy-two hours declaring that probable justification for the determination that inability exists, such official shall continue or resume in office.

(C) Should two-thirds of the elected members of each house fail to adopt a resolution declaring that probable justification exists for the declaration of inability, the constitutional successor shall assume the powers and duties of the office and such resolution shall be transmitted forthwith to the Supreme Court of Louisiana.
35th Days Proceedings—August 23, 1973

(D) By preference and priority over all other matters, the supreme court shall determine the issue of inability after due notice and hearing, by a majority vote of members elected to said court, under such rules as it may adopt.

(E) A judgment of the supreme court affirming inability may be reconsidered by the court, after due notice and hearing, either upon its own motion or upon the application of such official. Upon proper showing and by majority vote of its elected members, the court may, upon such reconsideration, determine that no inability then exists, whereupon such officer shall immediately resume the powers and duties of his office.

Section 21. Absences

Section 21. In the event of a temporary absence of the governor from the state, the lieutenant governor shall act as governor. In the event of a temporary absence of a statewide elected official from the state, the appointed first assistant shall act in his absence.

Section 22. Reorganization

Section 22. Reallocation of the functions, powers, and duties of all departments, offices, agencies, and other instrumentalities of the executive branch except those functions, powers, duties, and departments allocated by this constitution shall be as provided by statute.

Section 23. Appointment of Officials; Merger, Consolidation of Offices and Departments

Section 23. After the first election of state officials following adoption of this constitution, the legislature may, by a favorable vote of two-thirds of the elected members of each house, provide for appointment, in lieu of election, of the state superintendent of education, the commissioner of insurance, the commissioner of agriculture, the state commissioner of elections, or any of them. In such event the legislature shall prescribe qualifications and method of appointment and by similar vote, may provide that any such offices, their departments and functions be merged or consolidated with any other office or department in the executive branch. No action of the legislature, pursuant hereto, shall reduce the term or compensation of any elected official. By a vote of two-thirds of the elected members of each house, the legislature may re-establish any of such offices as an elective office and, in such event, shall prescribe qualifications.

Respectfully submitted,

MOISE W. DENNERY
Secretary.
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

THIRTY-SIXTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Friday, August 24, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a. m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman—
Abraham—
Aeriker—
Alario—
Alexander—
Anzalone—
Arnette—
Asseff—
Avant—
Badeaux—
Bel—
Bergeron—
Blair—
Bollinger—
Brien—
Brown—
Burns—
Burson—
Cannon—
Carmouche—
Casey—
Champagne—
Chatelain—
Chehardy—
Conino—
Conroy—
Corne—
Cowen—
D’Geralomo—
De Blieux—
Denner—
Dennis—
Derbes—
Deshotels—
Drew—
Dunlap—
Duval—
Edwards—
Elkins—
Fayard—
Flory—
Fontenot—

Fowler
Fuoco
Gauthier
Giarrusso
Ginn
Goldman
Gravel
Grier
Guirisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBlanc
Leigh
Lennox
Lowe
McDaniel
Martin
Mauberret
Miller
Mire
Monson
Newton
Nunez
O’Neill
Ousso

Perez
Perkins
Planchar
Pugh
Rachal
Rayburn
Reeves
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Silverberg
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ulo
Velazquez
Vesich
Vick
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

ABSENT

Delegates—
Armentor—
LeBlanc—
LeBreton—
Leichman
Lerche
LeBlanc
LeBlanc

Taylor
Wall

The Chairman announced that there were 126 members
present and a quorum.

Prayer

Prayer was offered by Delegate Abraham.

Pledge of Allegiance

Delegate Toca led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Chehady, the reading of the Journal
was dispensed with.

On motion of Delegate Chehady, the Journal of yester-
day was adopted.

Morning Hour

Introduction of Resolutions
Delegate and Committee
Resolutions

The following delegates and Chairmen on behalf of their
committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 41—
Introduced by Delegate O’Neill:
A RESOLUTION
To provide for the submission of an alternative proposal
relative to the method of selecting the commissioner of
agriculture.

Read.

Lies over under the rules.

DELEGATE RESOLUTION No. 42—
Introduced by Delegate O’Neill:
A RESOLUTION
To provide for the submission of an alternative proposal
relative to the method of selecting the commissioner of
elections.

Read.

Lies over under the rules.

DELEGATE RESOLUTION No. 43—
Introduced by Delegate O’Neill:
A RESOLUTION
To provide for the submission of an alternative proposal
relative to the method of selecting the commissioner of
insurance.

Read.

Lies over under the rules.

DELEGATE RESOLUTION No. 44—
Introduced by Delegate O’Neill:
A RESOLUTION
To provide for the submission of alternative proposals rela-
tive to the method of selecting the commissioner of agri-
culture, the commissioner of elections, and the com-
missioner of insurance.

Read.

Lies over under the rules.

Resolutions on Second
Reading and Referral

The following entitled Committee and Delegate Resolu-
tions on second reading to be referred to Committees were
taken up, read, and referred to Committees, as follows:

COMMITTEE RESOLUTION No. 11—
Introduced by Delegate LeBreton, Chairman, on behalf
of the Committee on Legislative Liaison and Transitional
Measures, and Delegate Henry, Chairman, on behalf of the
Coordinating Committee, and Delegates Aeriker, Blair, Casey,
Dennis, D’Geralomo, Drew, Fayard, Hardée, A. Jackson, J.
Jackson, Lambert, Lanier, LeBlanc, LeBlanc, Lenoxx, Miller,
Monson, Perez, Rayburn, Smith, Stagg, Thompson, Vick, Womack
and Zervigon:
A RESOLUTION
To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921.

Read.

Under the rules the above resolution was referred to the Committee on Legislative Liaison and Transitional measures.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 26—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubre ret, Mire, Nunez, Planchard, Stovall and Winchester:

A PROPOSAL
Making provisions for property taxation.

Read.

Under the rules the above proposal was referred to the Committee on Revenue, Finance and Taxation.

Reports of Committees Lying Over
Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 22—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall and Tapper:

A PROPOSAL
Making provisions for a code of ethics and the Louisiana Board of Ethics.

Read.

Reported favorably by the Committee on Executive Department.

Ordered engrossed and passed to its third reading.

COMMITTEE PROPOSAL No. 23—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Arnette, Brien, Denney, Gravel, Stovall and Tapper:

A PROPOSAL
Prohibiting dual employment and dual officeholding in state and local government.

Read.

Reported favorably by the Committee on Executive Department.

Ordered engrossed and passed to its third reading.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 21—
Introduced by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Ourso, Sanchez, Tate and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL
Making provisions for the judiciary branch of government.

Read.

The Chairman announced that the Convention had under consideration the above Proposal when it adjourned on Thursday, August 23, 1973, which was taken up and acted upon as follows:

Section 29. Defense of Criminal Prosecution; Removal

Section 29. No district attorney or assistant district attorney shall appear, plead or in any way defend, or assist in defending any criminal prosecution or charge. A violation shall be cause for removal.

Read.

Delegate Velazquez sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Velazquez, Warren, and Jack to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 11, line 25, immediately after "Section 29," and before the word "No" insert "(A)"

AMENDMENT No. 2—
On page 11, between lines 28 and 29 add the following: "(B) Any defendant in a criminal proceeding, the results of which may be imprisonment with or without hard labor for a term exceeding six months and/or fine of five hundred dollars or more, shall have the right to retain counsel, and if indigent, shall upon his request therefor be appointed competent counsel for his defense. The legislature shall provide for a uniform system for securing such counsel, including compensation."

Delegate Velazquez moved the adoption of the amendment. Delegate Roy objected.

By a vote of 47 yeas and 50 nays the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Pugh to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 11, between lines 28 and 29, insert the following: "(B) Any defendant in a criminal proceeding, the punishment for which may be imprisonment, if indigent, shall have competent counsel appointed for his defense. The legislature shall provide for a uniform system for securing such counsel, including compensation."

AMENDMENT No. 2—
On page 11, line 25, immediately after "Section 29," and before the word "No" insert "(A)"

Delegate Pugh moved the adoption of the amendment.

Delegate Dennis objected.

A record vote was asked for and ordered by the Convention.
The roll was called with the following result:

**YEAS**

- Badeaux
- Bel
- Bergeron
- Blair
- Bollinger
- Brien
- Burns
- Burson
- Carmouche
- Casey
- Champagne
- Chatelain
- Chehardy
- Conino
- Conroy
- Corne
- Cowen
- D’Gerolamo
- De Blieux
- Denery
- Dennis
- Derbes
- Deshotels
- Drew
- Dunlap
- Duval
- Edwards
- Elkins
- Flory
- Fontenot
- Fowler
- Fulco
- Gauthier
- Girarruso
- Ginn
- Goldman
- Gravel
- Grier
- Hardee
- Hayes
- Haynes
- Heine
- Hernandez
- Jackson, A.
- Jackson, J.
- Jenkins
- Juneau
- Kelly
- Kilbourne
- Kilpatrick
- Lambert
- Landrum
- Landry, A.
- Landry, E. J.
- Lanier
- LeBlanc
- LeBlanc
- Lennox
- Lowe
- McDaniel
- Martin
- Maubertet
- Miller
- Mire
- Fontenot
- Muñoz
- Norte
- O’Neill
- Perez
- Perkins
- Planchard
- Pugh
- Rayburn
- Reeves
- Robinson
- Roemer
- Roy
- Sandoz
- Shannon
- Silverberg
- Singleterry
- Slay
- Smith
- Stagg
- Stephenson
- Stinson
- Stovall
- Sutherland
- Tapper
- Thompson
- Tobias
- Tocha
- Velazquez
- Warren
- Willis
- Winchester
- Wisham
- Vitel
- Wick
- Williams
- Wisham
- Wonac
- Zervigon

**NAYS**

- Aertker
- Anzalone
- Arnette
- Assef
- Blair
- Burns
- Champagne
- Conino
- Corne
- Cowen
- De Blieux
- Dennis
- Derbes
- Deshotels
- Drew
- Dunlap
- Elkins
- Fontenot
- Fowler
- Fulco
- Gauthier
- Girarruso
- Ginn
- Goldman
- Perkins
- Planchard
- Pugh
- Rayburn
- Reeves
- Roemer
- Ro
- Sandoz
- Shannon
- Slay
- Smith
- Stinson
- Sutherland
- Tapper
- Tate
- Thompson
- Toomy
- Uilo
- Uilo
- Vexich
- Vich
- Vexich
- Vill
- Wisham
- Wonac
- Zervigon

Total—115.

**ABSENT**

- Armentor
- Brown
- Cannon
- Fayard
- Garrisco
- Goldman
- Hardee
- Mr. Chairman
- Armentor
- Brown
- Cannon
- Fayard
- Fulco
- Riecke
- Segura
- Taylor
- Thistlethwaite
- Wall

Total—16.

And the amendments were rejected.

Delegate Alexander moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 29, was read.

Delegate Dennis moved the passage of the Section.

The roll was called with the following result:

**YEAS**

- Mr. Chairman
- Alario
- Abraham
- Aertker
- Arnette
- Assef
- Avant
- Aertker
- Alario
- Alexander
- Arnette
- Assef
- Avant

375
Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Schmitt, Velazquez, and Champagne to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**—
On page 12, between lines 3 and 4, insert the following:

“This section shall not apply to any parish in which there may be a provision in a parish home rule charter or plan of government to the contrary.”

**AMENDMENT No. 2**—
Strike out Amendment No. 1 proposed by Delegate Casey and adopted by the Convention on August 24, 1973.

On motion of Delegate Schmitt the amendments were withdrawn.

Delegate Schmitt sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Schmitt, Velazquez, and Champagne to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**—
On page 12, between lines 3 and 4, insert the following:

“This section shall not apply to any parish in which there may be a provision in a parish home rule charter or plan of government to the contrary.”

Delegate Schmitt moved adoption of the amendment.
Delegate Dennis objected.

By a vote of 17 yeas and 96 nays the amendment was rejected.

Delegate Dennis moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 30, was read as amended.
Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Glenn</td>
<td>Lennox</td>
</tr>
<tr>
<td>Goldman</td>
<td>Lowe</td>
</tr>
<tr>
<td>Gravel</td>
<td>McDaniel</td>
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<tr>
<td>Grier</td>
<td>Martin</td>
</tr>
<tr>
<td>Hardee</td>
<td>McBerrett</td>
</tr>
<tr>
<td>Haynes</td>
<td>Miller</td>
</tr>
<tr>
<td>Heine</td>
<td>Mire</td>
</tr>
<tr>
<td>Hernandez</td>
<td>Munson</td>
</tr>
<tr>
<td>Jack</td>
<td>Newton</td>
</tr>
<tr>
<td>Jackson, A.</td>
<td>Nuez</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Jenkins</td>
<td>Ourso</td>
</tr>
<tr>
<td>Juneau</td>
<td>Perez</td>
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<tr>
<td>Kean</td>
<td>Perkins</td>
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<tr>
<td>Kelly</td>
<td>Planchar</td>
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<tr>
<td>Kilbourne</td>
<td>Pugh</td>
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<tr>
<td>Kilpatrick</td>
<td>Rachal</td>
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<tr>
<td>Lambert</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Landrum</td>
<td>Reeves</td>
</tr>
<tr>
<td>Landry, A.</td>
<td>Robinson</td>
</tr>
<tr>
<td>Landry, E. J.</td>
<td>Roemer</td>
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<tr>
<td>Lanier</td>
<td>Roy</td>
</tr>
<tr>
<td>LeBlanc</td>
<td>Sandoz</td>
</tr>
<tr>
<td>LeBlanc</td>
<td>Shannon</td>
</tr>
<tr>
<td>Leigh</td>
<td>Silverberg</td>
</tr>
<tr>
<td>Total—120.</td>
<td>NAYS</td>
</tr>
</tbody>
</table>

Delegate Schmitt
Total—1.

Delegate—

<table>
<thead>
<tr>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leithman</td>
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<tr>
<td>Riecke</td>
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<tr>
<td>Segura</td>
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<tr>
<td>Sutherland</td>
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<tr>
<td>Total—11.</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 31. Clerks; Election; Powers and Duties; Duties; Office Hours

Section 31. (A) In each parish, a clerk of the district court shall be elected by the qualified electors of the parish for a term of four years. He shall be ex officio notary public and parish recorder of conveyances, mortgages, and other acts and shall have such other duties and powers as may be prescribed by law. The clerk may appoint deputies with such duties and powers as may be prescribed by law and he may appoint, with the approval of the district judges, minute clerks with such duties and powers as may be prescribed by law.

(B) The legislature shall establish statewide uniform office hours for all clerks of district courts.

Read.

Delegate Assaf sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendments proposed by Delegate Assaf to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**—
On page 12, line 6 immediately after “31.” and before “In” strike out “(A)”

**AMENDMENT No. 2**—
On page 12 strike out lines 16 and 17 in their entirety.

Delegate Assaf moved the adoption of the amendment.
Delegate De Blieux objected.

By a vote of 29 yeas and 90 nays the amendments were rejected.

Delegate A. Landry moved to reconsider the vote by
which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegtee Abraham sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Abraham, Schmitt to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 12, line 10, after the word "acts" and before the words "and shall" insert the following:

"... may appoint deputies, may appoint, with the approval of the district judges, minute clerks;"

**AMENDMENT No. 2**

On page 12, line 11, after the period "...", delete the remainder of the line and delete lines 12 through 15, both inclusive, in their entirety

On motion of Delegate Abraham the amendment was withdrawn.

**Passage**

Committee Proposal No. 21, Section 31, was read.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates:</td>
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<tr>
<td>Mr. Chairman</td>
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<td>Abraham</td>
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<td>Aertker</td>
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<td>De Bileux</td>
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<td>Dennehy</td>
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<td>Dennis</td>
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<td>Desbordes</td>
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<td>Drew</td>
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<td>Roy</td>
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<td>Schmitt</td>
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<td>Vick</td>
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<td>Warren</td>
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<td>Weiss</td>
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<td>Willis</td>
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<td>Winchester</td>
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<td>Wisham</td>
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<tr>
<td>Zervigon</td>
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<tr>
<td>Total—119.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>NAYS</th>
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</thead>
<tbody>
<tr>
<td>Delegates:</td>
</tr>
<tr>
<td>LeBreton</td>
</tr>
<tr>
<td>Leithman</td>
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<tr>
<td>Riecke</td>
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<tr>
<td>Robinson</td>
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<tr>
<td>Total—0.</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 32. Coroner; Election; Term; Qualifications; Duties**

Section 32. In each parish, a coroner shall be elected for a term of four years with such qualifications and duties as may be prescribed by law.

Read.

Delegate Weiss sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Weiss, Gravel, Dunlap, Fulco, Anzalone, Planchar, Arnette, Willis, Roemer, Kelly, Burns, LeBleu, Rev. Landrum, Singletary, Assef, to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 12, line 21, place a period "..." after the word "years" and delete the remainder of line 21, and delete line 22 in its entirety, and insert in lieu thereof the following:

"He shall be a licensed physician and possess such other qualifications and perform such duties as are provided by law. The legislature may provide the qualifications, however, if no licensed physician is available for the office."

Delegate Weiss moved the adoption of the amendment.

Delegate Brown objected.

By a vote of 19 yeas and 94 nays the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Weiss sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Weiss to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 12, line 21, place a period "..." after the word "years" and delete the remainder of line 21, and delete line 22 in its entirety, and insert in lieu thereof the following:

"He shall be a licensed physician and possess such other qualifications and perform such duties as are provided by law; however, the requirement that he be a licensed physician shall not apply to any parish in which there is no licensed physician who will accept the office."

Delegate Weiss moved the adoption of the amendment.

Delegate Jack objected.

By a vote of 79 yeas and 34 nays the amendment was adopted.

Delegate Weiss moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 32, was read, as amended.
Delegate Dennis moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Fulco</td>
</tr>
<tr>
<td>Alario</td>
<td>Gauthier</td>
</tr>
<tr>
<td>Alexander</td>
<td>Ginn</td>
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<tr>
<td>Anzalone</td>
<td>Goldman</td>
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<td>Arnette</td>
<td>Gravel</td>
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<td>Asseff</td>
<td>Grier</td>
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<td>Avant</td>
<td>Guisrico</td>
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<td>Badeaux</td>
<td>Hardee</td>
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<td>Hayes</td>
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<td>Bergeron</td>
<td>Heine</td>
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<td>Blair</td>
<td>Hernandez</td>
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<tr>
<td>Bollinger</td>
<td>Jack</td>
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<tr>
<td>Brien</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Burns</td>
<td>Jenkins</td>
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<td>Burson</td>
<td>Juneau</td>
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<td>Carmouche</td>
<td>Kean</td>
</tr>
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<td>Casey</td>
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<td>Fowler</td>
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**NAYS**

Delegates—

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<td>Landry, A.</td>
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<td><strong>Total</strong></td>
<td>20</td>
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</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Vice-Chairman Roy in the Chair

Section 33. Vacancies

Section 33. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by: in the case of sheriff, the chief criminal deputy; district attorney, the first assistant; clerk of a district court, the chief deputy; coroner, the chief deputy. If there is no such person to assume the duties at the time of the vacancy, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.

Read.

Delegate Perez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Perez, Burson Giufrasso, Chatelain, Cenina, D’Geralamo, Fowler, Heine, J. Jackson, Kean, Shannon, Stephenson, Toomy, Ullo, and Zervigon to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 12, delete lines 24 through 32, both inclusive, in their entirety, and on page 13, delete line 1 in its entirety and insert in lieu thereof the following:

"Section 33. (A) When a vacancy occurs in the office of district attorney, the duties of the office, until it is filled by election as provided by law, shall be assumed by the first assistant. If there is no such person to assume the duties at the time of vacancy, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.

(B) A vacancy occurring in the office of sheriff, clerk of a district court, or coroner shall be filled by appointment by the governing authority of the parish until it is filled by election as provided by this constitution."

Delegate Perez moved the adoption of the amendment.

Delegate A. Landry objected.

By a vote of 36 yeas and 74 nays the amendment was rejected.

Delegate A. Landry moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 33, was read.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

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<td><strong>Total</strong></td>
<td>112</td>
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**ABSENT**

Delegates—

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<tr>
<td>Mr. Chairman</td>
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<td><strong>Total</strong></td>
<td>20</td>
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</table>

And the Chair declared that the above Section was passed.
And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 34. Reduction of Salaries and Benefits Prohibited**

Section 34. No attorney general, district attorney, sheriff, or clerk of the district court shall have his salary or retirement benefits diminished during his term of office.

Read.

Delegate Conino sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Conino to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 13, line 4, immediately after “general,” delete the remainder of the line and insert in lieu thereof the following:

“judge, district attorney, sheriff, coroner.”

Delegate Conino moved the adoption of the amendment.

Delegate De Blieux objected.

By a vote of 33 yeas and 51 nays the amendment was adopted.

Delegate Conino moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 34, was read, as amended.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Bergeron</th>
<th>Bollinger</th>
<th>Brien</th>
<th>Brown</th>
<th>Burns</th>
<th>Cannon</th>
<th>Carmouche</th>
<th>Casey</th>
<th>Champagne</th>
<th>Chehardy</th>
<th>Conino</th>
<th>D’Gerolamo</th>
<th>Denney</th>
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| Delegate | Districts | Toca | Toomy | Ullo | Velazquez | Veesch | Vick | Warren | Weiss | Willis | Winchester | Wisham | Zervigon |


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<tr>
<th>Delegate</th>
<th>Abraham</th>
<th>Kelly</th>
<th>Nunez</th>
<th>Perez</th>
<th>Schmitt</th>
</tr>
</thead>
</table>

379
Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 13, delete lines 8 through 29, both inclusive, in their entirety and insert in lieu thereof the following: “Section 35. Except for provisions relating to terms of office as provided elsewhere in this Article and notwithstanding any other provision of this constitution to the contrary, the following courts and officers in Orleans Parish are continued, subject to change by vote of two-thirds of the elected members of each house of the legislature: the civil and criminal district courts, the city, municipal, traffic and juvenile courts, the clerks of the civil and criminal district courts, the civil and criminal sheriffs, the constables and the clerks of the first and second city courts, the register of conveyances, and the recorder of mortgages.”

Motion
Delegate Smith moved the previous question on the amendment.
Delegate J. Jackson objected.
By a vote of 26 yeas and 77 nays the Convention refused to order the previous question at this time.
Delegate Casey moved the adoption of the amendment.
Delegate Juneau objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Alexander—Giarussso
Avant—Perez
Badeaux—Perkins
Bel—Reeves
Bergeron—Robinson
Brien—Roy
Burns—Sandoz
Burton—Segura
Cannon—Silverberg
Carmouche—Soniat
Casey—Sutherland
Conino—Tapper
Cowen—Thistlethwaite
De Bieieux—Velazquez
Denner—Vesich
Dere—Vick
Deshotels—Warren
Elkin—Wichesler
Ennis—Wisham
Fulco—Zervigon

Total—60.

NAYS
Delegates—
Abraham—Fontenot
Aertker—Fowler
Alario—Gauthier
Arnette—Grier
Assiff—Guarisco
Bollinger—Hardee
Brown—Hayes
Champagne—Hernandez
Chatelain—Jack
Chehardy—Jackson, A.
Conroy—Juneau
Corner—Lanier
D'Gerolamo—LeBlanc
Dennis—Lowe
Drew—McDaniel
Dunlap—Miller
Duval—Newton

Total—50.

DELEGATES
Mr. Chairman—Mr. LeBreton
Anzalone—Mr. Leithman
Armentor—Mr. Mire
Blair—Mr. Munson
Edward—Mr. Ourso
Eyraud—Mr. Rachal
Kilbourne—Mr. Rayburn
Lambert—

Total—22.

ABSENT
Delegates—LeBreton—Riecke
Leithman—Slay
Mire—Stovall
Munson—Tate
Ourso—Taylor
Rachal—Wall
Rayburn—Womack

And the amendment was adopted.
Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Juneau sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Juneau to Committee Proposal No. 21 by Delegate Dennis, et al.
Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 13, line 8, in Floor Amendment No. 1 proposed by Delegate Casey and adopted by the Convention on August 24, 1973, in line 5, delete the word “two-thirds” and insert in lieu thereof the words “a majority”
Delegate Juneau moved the adoption of the amendment.
Delegate Casey objected.
By a vote of 65 yeas and 48 nays the amendment was adopted.
Delegate Fontenot moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

PASSAGE
Committee Proposal No. 21, Section 35, was read, as amended.
Delegate Dennis moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Mr. Chairman—Mr. Deshotels
Abraham—Mr. Abraham
Aertker—Mr. Aertker
Alario—Mr. Alario
Arnette—Mr. Arnette
Assiff—Mr. Assiff
Bollinger—Mr. Bollinger
Brown—Mr. Brown
Champagne—Mr. Champagne
Chatelain—Mr. Chatelain
Chehardy—Mr. Chehardy
Conroy—Mr. Conroy
Corner—Mr. Corner
D'Gerolamo—Mr. D'Gerolamo
Dennis—Mr. Dennis
Drew—Mr. Drew
Dunlap—Mr. Dunlap
Duval—Mr. Duval

Total—50.
Stephenson  
Stinson  
Sutherland  
Tapper  
Tate  
Thistlethwaite  
Thompson  
Total—113.

Delegates—  
Bel  
Total—3.

Delegates—  
Armenor  
Blair  
Fayard  
Lambert  
LeBreton  
Leithman  
Total—16.

Delegates—  
Mr. Chairman  
Abraham  
Aeiker  
Alario  
Arnette  
Avant  
Badeaux  
Bel  
Bergeron  
Bollinger  
Brien  
Brown  
Burns  
Burson  
Carmouche  
Casey  
Chamagne  
Chateauneuf  
Chehardy  
Conino  
Conroy  
Corne  
Counsel  
DeBlieux  
D'Gerolamo  
Dennery  
Dennis  
Derbes  
Deshotels  
Dunlap  
Duval  
Edwards  
Elkins  
Total—102.

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh and Gravel to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—  
On page 13, delete lines 31 and 32, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 36. (A) A citizen of the state, who is domiciled within the parish in which he is to serve as a juror and who has reached the age of majority, is eligible to serve as a juror. The legislature may provide additional qualifications.

(B) The supreme court by rule shall provide for exemption of jurors."

Delegate A. Landry moved the adoption of the amendment.

Delegate Deshotels objected.

By a vote of 94 yeas and 15 nays the amendment was adopted.

Delegate A. Landry moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Vice-Chairman Roy in the Chair

Delegate Stinson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stinson to Committee Proposal No. 21 by Delegate Dennis, et al.

AMENDMENT No. 1—  
On page 13, immediately below line 32, add the following paragraph:

"Notwithstanding any other provision of this constitution, no woman shall be drawn for jury service unless she shall have previously filed with the clerk of the district court a written declaration of her desire to be subject to such service."

Delegate Stinson moved the adoption of the amendment.

Delegate Dunlap objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—  
Anzalone  
Asseff  
Drew  
Fowler  
Total—10.

NAYS

Delegates—  
Flory  
Fontenot  
Gautier  
Glauroso  
Goldman  
Gravel  
Grier  
Guarisco  
Hardee  
Hayes  
Heine  
Hernandez  
Jack  
Jackson, A.  
Jackson, J.  
Jenkins  
Keen  
Kelly  
Kilpatrick  
Landrum  
Landry, A.  
Landry, E. J.  
Lanier  
Leigh  
Lennox  
Lowe  
McDaniel  
Martin  
Mauberret  
Miller  
Newton  
Total—12.

ABSENT

Delegates—  
Leithman  
Mire  
Munson  
Rachal  
Rayburn  
Riecke  
Roy  
Schmitt  
Mire  
Munson  
Rachal  
Rayburn  
Riecke  
Roy  
Stovall  
Taylor  
Wall  
Womack

And the amendment was rejected.

Delegate Zervigon moved to reconsider the vote by which the amendment was rejected, and on her own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 36, was read as amended.

Delegate A. Landry moved the passage of the Section.

ROLL CALL

The roll was called with the following result:
36th Days Proceedings—August 24, 1973

DELEGATES

Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Avant
Badeaux
Bel
Bergeon
Bollinger
Brien
Brown
Burns
Busson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowen
D'Ebleux
D'Gerolamo
Denney
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Ekins
Flory

Total—111.

YEAS

Fontenot
Fowler
Fulco
Gauthier
Glairruso
Ginn
Goldman
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Kean
Kelly
Kibbourne
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Landry
LeBlanc
LeBlanc
LeBlanc
LeBlanc
Lemmon
Lowe
McDaniel
Martin
Mauberret
Miller
Newton
Nunez
O'Neill
Ours
Ours
Pere
Pere
Perkins
Perkins
Planchard
Pugh
Reeves
Robinson
Roper
Roy
Roy
Sandoz
Segura
Shannon
Silverberg
Singleterry
Smith
Soniat
Stagg
Stephenson
Sutherland
Taper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Tommy
Ullo
Velasquez
Vesich
Vick
Warren
Weiss
Willis
Winchester
Wisham
Zervigon

NAYS

Stinson

ABSENT

Leithman
Mire
Munson
Rachal
Rayburn
Riecke
Schmitt
Slay
Stovall
Taylor
Wall
Womack

And the Chair declared that the above Section was passed.

Delegates—

Asseff
Stinson

Total—2.

Delegates—

Armbruster
Blair
Cannon
Fayard
Juneau
Lambert
LeBreton

Total—19.

AMENDMENT No. 1—

On page 14, line 3, after the word “whose” and before the word “duties” insert the word and punctuation “qualifications.”

AMENDMENT No. 2—

On page 14, line 4, after the words “by law” and before the words “and whose” insert a period “.” and delete the remainder of the line and at the beginning of line 5, delete the following: “vide Section 6 of this Article.”

Delegate Pugh moved the adoption of the amendments.

Delegate Champagne objected.

By a vote of 92 yeas and 2 nays the amendments were adopted.

Delegate Pugh moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kean sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Kean and Thistlethwaite to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend printed as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 14, line 6, after the partial word “cedings” delete the remainder of the line.

Delegate Kean moved the adoption of the amendment.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention:

ROLL CALL

The roll was called with the following result:

YEAS

Abraham
Jackson, A.
Jackson, J.
Aertker
Jenkins
Asseff
Juneau
Brien
Kean
Champagne
Kelly
De Blyeux
LeBlanc
Denney
LeBlanc
Dulac
Perkins
Duval
Goldman
Edwards
Hayes
Ekins
Brown
Robinson
Chehardy
Jorge
Conino
Hernandez
Conroy
Kibbourne
Corne
Kilpatrick
Coven
Lanier
D'Ebleux
Landrum
D'Gerolamo
Landry, A.
Dennis
Landry, E. J.
Derbes
Deshotels
LaGrange
Lintz

NAYS

Jackson, A.
Jackson, J.
Roy
Shannon
Silverberg
Singleterry
Smith
Soniat
Stagg
Stephenson
Sutherland
Taper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Tommy
Ullo
Velasquez

382
And the amendment was rejected.
Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Conroy sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Perez, Gravel, Kilbourne, Nunez, Rayburn, and Burson to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 14, line 2, between “Section 37,” and the word “There” insert “(A)”

AMENDMENT No. 2—
On page 14, between lines 7 and 8, insert the following: “(B) Except as otherwise provided in this constitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution in his district, shall be the representative of the state in his district before the grand jury, and its legal advisor. He shall perform such other duties as may be provided by law.”

Point of Order
Delegate Conroy asked a ruling from the Chair as to whether the subject matter contained in the amendment was germane to the Section under consideration.

Ruling of the Chair
The Chair ruled that the subject matter contained in the amendment was germane to the Section under consideration.
Delegate Conroy appealed the ruling of the Chair.
Under the rules the vote recurred on the motion to sustain the Chair.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aerkier
Alario
Arnette
Asseff
Avant
Badeaux
Bel
Burgon
Casey
Chael
Chehardy
Conino
Corne
Corne
De Gerolamo
De Bleux
Derbes
Deshotels
Drew
Dunlap
Edwards
Flory
Fowler
Fulco
Giarrusso
Ginn
Gravel
Haynes
Heine
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, A.
Lanier
LeBlanc
Martin
Mauberret
Newton
Nunez
O'Neill
Orourke
Perez
Perkins
Planchard
Pugh
Reeves
Robinson
Roy
Sandoz
Stephenson
Stinson
Tapper
Thistlethwaite
Toca
Toomy
Vestieh
Wills
Wisham
Zervigon

NAYS

Delegates—
Abraham
Aerkier
Alexander
Bergeron
Bollinger
Brown
Carmouche
Conroy
Dennery
Dennis
Duval
Eikins
Fontenot
Gauthier
Lambert
LeBreton
Total—41.

ABSENT

Delegates—
Mr. Chairman
Abraham
Aerkier
Alario
Arnette
Asseff
Avant
Badeaux
Bel
Bergon
Bollinger
Brown
Burgon
Carmouche
Chael
Chehardy
Conino
Corne
De Gerolamo
Drew
Dunlap
Edwards
Flory
Fowler
Fulco
Giarrusso
Ginn
Gravel
Haynes
Heine
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, A.
Lanier
LeBreton
LeBlanc
Martin
Mauberret
Newton
Nunez
O'Neill
Orourke
Perez
Perkins
Planchard
Pugh
Reeves
Robinson
Roy
Sandoz
Stephenson
Stinson
Tapper
Thistlethwaite
Toca
Toomy
Vestieh
Wills
Wisham
Zervigon

ABSENT

Delegates—
Mr. Chairman
Abraham
Aerkier
Alario
Arnette
Asseff
Avant
Badeaux
Bel
Bergon
Bollinger
Brown
Burgon
Carmouche
Chael
Chehardy
Conino
Corne
De Gerolamo
Drew
Dunlap
Edwards
Flory
Fowler
Fulco
Giarrusso
Ginn
Gravel
Haynes
Heine
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, A.
Lanier
LeBreton
LeBlanc
Martin
Mauberret
Newton
Nunez
O'Neill
Orourke

383
Delegates Perez, et al., at the end of line 3 after the word “district” add the following: “in which the district court has jurisdiction.”

Delegate Burson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 14, in Floor Amendment No. 2, proposed by Delegate Perez, et al., on line 3 after the word “prosecution” and before the word “in” insert the following: “by the state”

Delegate Burson moved the adoption of the amendment.

By a vote of 97 yeas and 0 nays the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 21, Section 37, was read, as amended.

Delegate Dennis moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>rozwiązanie</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
</tr>
<tr>
<td>Abraham</td>
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<tr>
<td>Aertker</td>
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<tr>
<td>Alario</td>
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<tr>
<td>Alexander</td>
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<tr>
<td>Anzalone</td>
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<tr>
<td>Arnette</td>
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<td>Asseff</td>
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<td>Avant</td>
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<td>Badeaux</td>
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<td>Bel</td>
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<td>Bergeron</td>
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<td>Bollinger</td>
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<tr>
<td>Brown</td>
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<tr>
<td>Burson</td>
<td></td>
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<tr>
<td>Casey</td>
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<td>Champagne</td>
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<td>Chafelin</td>
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<td>Chehardy</td>
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<td>Conino</td>
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<td>Conroy</td>
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<td>Corne</td>
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<tr>
<td>D'Gerolamo</td>
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<td>De Blieux</td>
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<tr>
<td>Denmer</td>
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<td>Derbes</td>
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<td>Deshotels</td>
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<td>Drew</td>
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<td>Dunlap</td>
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<td>Duval</td>
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<tr>
<td>Edwards</td>
<td></td>
</tr>
<tr>
<td>Elkins</td>
<td></td>
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<tr>
<td>Total—99.</td>
<td></td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>rozwiązanie</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates Perez, et al.</td>
<td></td>
</tr>
<tr>
<td>Total—3.</td>
<td></td>
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</tbody>
</table>

**ABSENT**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>rozwiązanie</th>
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</thead>
<tbody>
<tr>
<td>Armentor</td>
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<tr>
<td>Blair</td>
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<tr>
<td>Burns</td>
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<td>Cannon</td>
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<td>Cowen</td>
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<tr>
<td>Jackson, J.</td>
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<td>Lambert</td>
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<tr>
<td>LeBretton</td>
<td></td>
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<tr>
<td>Leigh</td>
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<tr>
<td>Total—25.</td>
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</tbody>
</table>
And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 38. Fees; Orleans Parish

Section 38. The judges of the civil district court and the city courts of Orleans Parish shall set the fees for civil cases filed in their respective courts.

Read.

Passage

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS
Delegate Deshotel
Stinson
Delegate Oursou
Velazquez
Total—4.

NAYS
Delegate Mr. Chairman
Abraham
Aertker
Alois
Alexander
Anzalone
Arnette
Assell
Avant
Badeaux
Bel
Bergeron
Bollinger
Brown
Burson
Casey
Champagne
Chataign
Chehardy
Conino
Conroy
Corne
D'Gerolamo
De Blieux
Deneny
Dennis
Derbes
Drew
Dunlap
Duval
Elkins
Fayard
Total—97.

ABSENT
Delegate Armentor
Edwards
Leigh
Delegate Blair
Hardee
Delegate Burns
Heine
Delegate Cannon
Keen
Delegate Carmouche
Lambert
Coun

And the Chair declared that the above Section failed to pass.

Delegate Dennis moved to reconsider the vote by which the above Section failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Dennery the motion to reconsider the vote by which Section 25 of Committee Proposal No. 21 was passed, was called from the table.

On motion of Delegate Dennery the vote by which Section 25 was passed, was reconsidered.

Section 25. (A) The Judiciary Commission shall consist of one court of appeal judge and two district court judges selected by the supreme court; three attorneys admitted to the practice of law for at least ten years who are not judges, active or retired, nor public officials, selected by the Louisiana Conference of Court of Appeal Judges Association or its successor; three judges active or retired, nor public officials, appointed by the Louisiana District Judges Association or its successor.

(B) A member of the commission shall serve a four-year term and shall not be eligible to succeed himself.

(C) A member's term shall terminate when he loses the status causing his appointment or when any event occurs which would have made him ineligible for appointment.

(D) When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

(E) On recommendation of the Judiciary Commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the Judiciary Commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during the pendency of the proceedings in the supreme court. On recommendation of the Judiciary Commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is, or is likely to become, of a permanent character. The supreme court shall make rules implementing this section and providing for confidentiality and privilege of proceedings.

(F) Action against a judge under this Section shall not preclude disciplinary action against him with respect to his license to practice law.

Delegate Dennery sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Dennery to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 9, line 16, delete Amendment No. 1, proposed by Delegate Pugh and adopted by the convention on August 22, 1973.

AMENDMENT No. 2—

On page 9, line 15, after the word "officials" delete the comma "", and insert the following:

"Other than notaries public,"

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.
Passage

Committee Proposal No. 21, Section 25, was read, as amended.

Delegate Dennery moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman Fowler O'Neill
Abraham Fulco Ours
Alario Gauthier Perez
Alexander Giarusso Perkins
Anzalone Ginn Planchar
Arnette Goldman Reeves
Asseff Gravel Robinson
Avant Grier Roemer
Badeaux Guarisco Roy
Bel Hayes Sandoz
Bergeron Hayes Silverberg
Bollinger Hernandez Smith
Brien Jack Sutherland
Brown Jackson, A. Tapper
Burson Jackson, J. Tate
Casey Jenkins Thistlethwaite
Champagne Juneau Thompson
Chatelain Kelly Tobias
Conine Kilbourne Tocca
Conroy Kilpatrick Toomy
Corne Landrum Ulo
D'Gerolamo Landry, A. Velasquez
De Belleux Landry, E. J. Vesich
Dennery Lanier Vesper
Dennis LeBlue Vesey
Deshotels Lennox Wech
Dunlap Lowe Weiss
Duvall McDaniel Willis
Elkins Martin Wilson
Fayard Miller Wisham
Flory Newton Zervigon
Fontenot Nunez

Total—96.

NAYS

Delegates—
Aertker Heine Riecke
Armendar Hean Schmitt
Blair Lambert Segura
Burns LeBreton Shannon
Cannon Leithman Singletary
Carmouche Leithman Slay
Chelardy Mauberret Stovall
Cohen Mire Taylor
Cozen Munson Vick
Derbes Pugh Walth
Drew Rachal Winchester
Edwards Rachal Womack
Hardee Rayburn

Total—96.

The Committee on Bill of Rights and Elections will meet on Tuesday, August 28, 1973, at 10:00 o'clock A.M. in Committee Room 9 and will consider the following agenda:

AGENDA

To prepare the presentation of Committee Proposal No. 25 to the full convention.

Respectfully submitted,

ALPHONSE JACKSON, JR.
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Stovall, chairman of the Committee on Rules, Credentials and Ethics, sent the following notice:

The Committee on Rules, Credentials and Ethics will meet on Wednesday, August 29, 1973, at 8:30 o'clock P.M. in Committee Room 1 and will consider the following agenda:

AGENDA

To consider resolutions referred to the Committee.

Respectfully submitted,

JAMES STOVALL
Chairman of the Committee on Rules, Credentials and Ethics

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate LeBreton, chairman of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Wednesday, August 29, 1973, immediately after adjournment in Convention Hall and will consider the following agenda:

AGENDA

To discuss the Resolution on Transitional Measures.

Respectfully submitted,

EDWARD F. LEBRETON,
Chairman of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent the following notice:

The Committee on Local and Parochial Government will meet Wednesday, August 29, 1973, after adjournment in Committee Room 9 and will consider the following agenda:

AGENDA

To consider the committee's proposal.

Respectfully submitted,

C. O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.
Leaves of Absence
Delegate Cannon—1 day.
Delegate Mire—1/2 day.

Adjournment
Delegate Reeves moved that the Convention do now adjourn until Tuesday, August 28, 1973, at 1:30 o'clock P.M.

As a substitute, Delegate Fontenot moved that the Convention do now adjourn until Wednesday, August 29, 1973, at 9:00 o'clock A.M.

The vote recurred on the substitute motion.
By a vote of 34 yeas and 60 nays the Convention refused to adjourn until Wednesday, August 29, 1973 at 9:00 o'clock A.M.

On motion of Delegate Reeves the Convention adjourned until Tuesday, August 28, 1973 at 1:30 o'clock P.M.

And Chairman Henry declared the Convention adjourned to Tuesday, August 28, 1973 at 1:30 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID P. POYNTER
Chief Clerk
The Convention was called to order at 1:30 o'clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Mr. Chairman                  Fayard
Abraham                      Flory
Aeriker                      Fontenot
Alario                       Powler
Alexander                    Fulco
Anzalone                     Gauthier
Arnette                      Ginn
Asseff                       Goldman
Avant                        Gravel
Badaux                       Grier
Bel                          Guarisco
Bergeron                     Hayes
Blair                        Haynes
Bollinger                    Heine
Brown                        Hernandez
Burns                        Jack
Burson                       Jackson, A.
Cannon                       Jackson, J.
Carmouche                    Jenkins
Casey                        Juneau
Champagne                    Kean
Chatelain                    Kelly
Chehardy                     Kilbourne
Conino                       Kilpatrick
Conroy                       Lambert
Corne                        Landry, A.
Cowie                        Landry, E. J.
D’Gerolamo                   Lanier
De Blieux                    LeBlanc
Denneny                      Lehi
Dennis                       Lennox
Derbes                       Lowe
Deshotels                    McDaniel
Drew                         Martin
Dunlap                       Maubert
Duval                        Miller
Edwards                      Mire
Elkins                       Munson
Newton
Nunez
O’Neill
Ours
Perez
Perkins
Planchard
Racah
Rayburn
Reeves
Robinson
Roemer
Roy
Sandoz
Segura
Shannon
Singletary
Smith
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tapper
Tate
Thistleton
Thompson
Tobias
Toca
Toomy
Versich
Vick
Warren
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

ABSENT

Delegates—
Armentor                     Pugh
Giarusso                     Riecke
Hardee                       Schmitt
LeBreton                     Silverberg
Leithman                     Slay

Stinson
Taylor
Ullo
Velasquez
Wall

The Chairman announced that there were 117 members present and a quorum.

Prayer

Prayer was offered by Delegate Smith.

Pledge of Allegiance

Delegate Perez led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Shannon, the reading of the Journal was dispensed with.

On motion of Delegate Shannon, the Journal of yesterday was adopted.

Morning Hour

Introduction of Resolutions

Delegate and Committee Resolutions

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 45—

Introduced by Delegate Warren:

A RESOLUTION

To provide for the submission of an alternative proposal relative to the method of selecting the superintendent of education.

Read.

Lies over under the rules.

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 41—

Introduced by Delegate O’Neill:

A RESOLUTION

To provide for the submission of an alternative proposal relative to the method of selecting the commissioner of agriculture.

Read.

Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 42—

Introduced by Delegate O’Neill:

A RESOLUTION

To provide for the submission of an alternative proposal relative to the method of selecting the commissioner of elections.

Read.

Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 43—

Introduced by Delegate O’Neill:

A RESOLUTION

To provide for the submission of an alternative proposal relative to the method of selecting the commissioner of insurance.

Read.

Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 44—

Introduced by Delegate O’Neill:

A RESOLUTION

To provide for the submission of alternative proposals relative to the method of selecting the commissioner of agriculture, the commissioner of elections, and the commissioner of insurance.

Read.

Under the rules the above Resolutions was referred to the Committee on Rules, Credentials and Ethics.
Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 21—

Introduce by Delegate Dennis, Chairman, on behalf of the Committee on the Judiciary and Delegates Avant, Bel, Bergeron, Burns, Deshotels, Drew, Gauthier, Kelly, Kilbourne, Landry, Martin, Oruso, Sandoz, Tate and Vesich (A Substitute for Committee Proposal No. 6):

A PROPOSAL

Making provisions for the judiciary branch of government:

Read.

The Chairman announced that the Convention had under consideration the above Committee Proposal when it adjourned on Friday, August 24, 1973, which was taken up and acted upon as follows:

Section 18. Juvenile Courts; Jurisdiction

Section 18. The jurisdiction of a juvenile court shall be as provided by law.

Read.

On motion of Delegate J. Jackson the above Section, upon which action was deferred on August 17, 1973, was taken up and acted upon as follows:

FLOOR AMENDMENT

Delegate J. Jackson sent up a floor amendment, which was read as follows:

Amendment proposed by Delegates J. Jackson, Warren, Roy, Pugh and Gravel to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 15 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

Section 18. Juvenile Courts; Family Courts: Jurisdiction

Section 18. (A) Except as otherwise herein provided, the juvenile courts or family courts shall have exclusive original jurisdiction of cases of the state in the interest of persons under eighteen years of age brought before the court as delinquent or neglected children. The courts shall also have jurisdiction of all cases of desertion or nonsupport of children by either parent or nonsupport of a wife by her husband and the adoption of children under eighteen years of age. The family court shall have such additional jurisdiction as is possessed by the family courts in existence at the time this constitution is adopted, or as otherwise provided by law.

(B) The legislature shall have the power to establish juvenile courts or family courts for any parish or group of parishes and designate the title and domicile of said courts, upon the petition of the police jury or other governing authority of the parish to be affected. The jurisdiction of any family court established subsequent to the adoption of this constitution shall be the same as the jurisdiction vested in family courts in existence at the time of the adoption of this constitution.

(C) The district courts in the Parish of Orleans and the several district courts in the other parishes of the State, however, shall have exclusive jurisdiction of the trial of all persons over the age of sixteen years who have been indicted by a Grand Jury for the offenses of murder, aggravated kidnaping, or aggravated rape committed within their respective jurisdictions.

Delegate J. Jackson moved the adoption of the amendment.
Delegate Jack objected.

A record vote was asked for and order by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Alexander
Bergeron
Bollinger
Brown
Chaisson
Chehardy
G'erolamo
Dennery
Flory
Gauthier
Total—34.

NAYS

Delegates—

Abraham
Amar
Anzalone
Arnette
Assie
Avant
Baudreau
Bol
Blair
Burns
Burson
Carmouche
Casey
Chapman
Conino
Conroy
Corner
De Bieux
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Elkins
Total—74.

ABSENT

Delegates—

Aeter
Armentor
Caruso
Cowen
Edwards
Giarrusso
Hardee
Kean
Total—24.

And the amendment was rejected.

Delegate Planachard moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, line 17, change the period ":" to a semicolon ":" and add the following:

providing, however, that the juvenile courts, including district courts and parish and city courts when sitting as ex officio juvenile courts, shall have exclusive original jurisdiction of all offenses committed by persons under the age
Delegate Gravel moved the adoption of the amendment.

Delegate Derbes objected.

By a vote of 53 yeas and 53 nays the amendment was rejected.

Delegate J. Jackson moved to reconsider the vote by which the amendment was rejected.

Delegate Derbes moved to lay the motion to reconsider on the table.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—Arnette

Fowler

Mauberret

Delegate—Assoff

Fulco

Nunez

Delegate—Bel

Goldman

O'Neill

Delegate—Blaire

Grier

Ousso

Delegate—Burns

Heine

Perez

Delegate—Carmouche

Hernandez

Perkins

Delegate—Casey

Jack

Sandoz

Delegate—Champagne

Jenkins

Singletary

Delegate—Colino

Juncau

Smith

Delegate—Conroy

Kelly

Stephenson

Delegate—Corne

Kilbourne

Stovall

Delegate—Coven

Lanier

Sutherland

Delegate—De Bileux

LeBleu

Tapper

Delegate—Derbes

Leigh

Thistlewaite

Delegate—Deshotels

Lennox

Tobias

Delegate—Drew

Lowe

Vesich

Delegate—Elkins

McDaniel

Wilder

Delegate—Fontenot

Martin

Winchester

Total—54.

Delegate—Mr. Chairman

Edwards

Rachal

Delegate—Abraham

Flory

Reeves

Delegate—Alario

Gauthier

Robinson

Delegate—Alexander

Ginn

Roy

Delegate—Anzalone

Gravel

Segura

Delegate—Avant

Guarisco

Shannon

Delegate—Badeaux

Hayes

Soniat

Delegate—Bollinger

Haynes

Slag

Delegate—Brien

Jackson, A.

Tate

Delegate—Brown

Jackson, J.

Thompson

Delegate—Burson

Kean

Toca

Delegate—Chatelain

Kilpatrick

Toomy

Delegate—Chehardy

Landrum

Vick

Delegate—D'Gerolamo

Landry, A.

Warren

Delegate—Denney

Landry, E. J.

Weiss

Delegate—Dennis

Mire

Wisham

Delegate—Dunlap

Monsson

Zervigon

Total—53.

Delegate—Duval

Planchard

ABSENT

Delegate—Acker

Leithman

Slay

Delegate—Armentor

Miller

Stinson

Delegate—Bergeron

Newton

Taylor

Delegate—Cannon

Pugh

Ullo

Delegate—Payard

Keyburn

Velasquez

Delegate—Giarrusso

Ricke

Wall

Delegate—Hardee

Roemer

Womack

Delegate—Lambert

Schmitt

LeBreton

Delegate—LeBreton

Silverberg

Total—29.

And the motion to reconsider was withdrawn.

Delegate Kean sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Pugh, Kean and Avant to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 16 and 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 18. The juvenile and family courts shall have such jurisdiction as the legislature shall provide by law."

Delegate Kean moved the adoption of the amendment.

Delegate Alexander objected.

By a vote of 92 yeas and 12 nays the amendment was adopted.

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tate sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tate and Tobias to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, line 16, in the language added by Convention Floor Amendment No. 1 proposed by Delegate Pugh et al and adopted by the Convention on August 28, 1973, immediately after the number "18" and before the word "juvenile" delete the word "The" and insert in lieu thereof the following:

"Notwithstanding any provision of this Article to the contrary, the"

Delegate Tate moved the adoption of the amendment.

Delegate Stovall objected.

By a vote of 103 yeas and 0 nays the amendment was adopted.

Delegate Tate moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, line 16, immediately after the words "provide by law" added by Convention Floor Amendment No. 1 proposed by Mr. Pugh, et al and adopted by the Convention on August 28, 1973, change the period ";" to a semicolon ";" and add the following:

"Juvenile courts shall have exclusive original jurisdiction of all offenses committed by persons under the age of seventeen, except that the criminal district courts in the Parish of Orleans and the several district courts in the Parish of Orleans and the several district courts in the other parishes of the state shall have exclusive original jurisdiction of persons who at the time of the commission of the offense are over the age of fifteen years and who have been indicted by a grand jury for the offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape committed within their respective jurisdictions."

On motion of Delegate Gravel the amendment was withdrawn.

Delegate Gravel sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, line 16, immediately after the words "provide by law" added by Convention Floor Amendment No. 1 proposed by Mr. Pugh, et al and adopted by the Convention on August 28, 1973, change the period "," to a semicolon ";" and add the following:

"Juvenile courts including district courts and parish and city courts when sitting as ex officio juvenile courts, shall have exclusive original jurisdiction of all offenses committed by persons under the age of seventeen, except that the criminal district courts in the Parish of Orleans and the several district courts in the other parishes of the state shall have exclusive original jurisdiction of persons who at the time of the commission of the offense are over the age of fifteen years and who have been indicted by a grand jury for the offenses of murder, aggravate kidnapping, armed robbery, or aggravated rape committed within their respective jurisdictions."

On motion of Delegate Gravel the amendment was withdrawn.

Passage

Committee Proposal No. 21, Section 18, was read, as amended.

Delegate Dennis moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
</tr>
</thead>
<tbody>
<tr>
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NAYS

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<td>Jackson, J.</td>
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ABSENT

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<tr>
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<td>Slay</td>
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<tr>
<td>LeBreton</td>
<td>Stinson</td>
</tr>
</tbody>
</table>

Total—32.

And the Chair declared that the above Section was passed.

Delegate Dennis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 21 by Delegate Dennis, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 5, between lines 28 and 29, insert the following:

"Section 15.1. City Court Judges; Terms

Section 15.1. A judge of a city court shall be elected for the same term as a district court judge."

Delegate Avant moved the adoption of the amendment.

Delegate Tobias objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
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<tbody>
<tr>
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NAYS

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Total—85.

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<td>Assef</td>
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</tr>
</tbody>
</table>

391
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Hernandez
Jackson, A.
Jackson, J.
Jenkins
Landry, E. J.

Deliveries—
LeBreton
LeBlanc
Lowe
McDaniel
Miller
Monson

ABSENT—
Stinson
Sutherland
Tate
Taylor
Ullo
Velazquez
Wall

And the Chair declared that the above Section was passed.

Deliver Avant moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 21, Section 151, was read.
Delegate Avant moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Deliveries—
Mr. Chairman
Abraham
Aertker
Anzalone
Arnette
Avant
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Cannon
Carmouche
Chehardy
Chenal
Chehardy
Conino
Corley
Corne
Cowen
D’Gerolamo
De Blieux
Denny
Denny
Dennis
Derbes
Drew
Duval
Edwards
Elkins
Fayard
Flory

Total—99.

NAYS

Deliveries—
Alario
Astef
Bel
Bren
Burson
Casey

Total—16.

ABSENT

Deliveries—
Armentor
Giarrusso
Hardee
Heine
LeBreton
Leithman

Total—17.

And the Chair declared that the above Proposal was finally passed.
Motion

On motion of Delegate A. Jackson, the Convention altered the Order of Business to take up Committee Proposals No. 25, out of its regular order, at this time.

COMMITTEE PROPOSAL No. 25—

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

To provide a preamble and a declaration of rights to the constitution.

Read.

Delegate Thistlethwaite sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Thistlethwaite, Sandoz, Womack, Planchar, Champagne and Corne, to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"We, the people of Louisiana, grateful to Almighty God for divine guidance and mindful of our unique heritage, do reaffirm our adherence to the Constitution of the United States of America and, desiring to declare and ensure the rights of the individual and provide a plan of government for the good order of the state, do ordain and establish this constitution."

Delegate Thistlethwaite moved the adoption of the amendment.

Delegate Warren objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abario
Arnette
Asseff
Badeaux
Blair
Bollinger
Burns
Burson
Carmouche
Champagne
Conino
Conroy
Cronin
Coven
Edwards
Elkins
Fontenot
Fulco
Gauthier
Grier
Hernandez
Jack
Juneau
Keen
Kilbourne
Landry, A.
Landry, E. J.
Lanier
Leigh
Lennox

NAYS

Delegates—

Mr. Chairman
Abraham
Aerkker
Alexander
Anzalone
Avant
Bel
Bergeron
Brien
Brown
Casey
Chatelain
Chehardy
D'Gerolamo
DeBieux
Dennery
Dennis
Drew
Dunlap
Flory

Total—58.

ABSENT

Delegates—

Armentor
Cannon
Darby
Deshotels
Duval
Fayard
Garrusso
Hardee
Heine
LeBlanc

Total—28.

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

FLOOR AMENDMENT

Delegate Perez sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Perez to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 23 and insert in lieu thereof the following:

"We, the people of the State of Louisiana, grateful to Almighty God for the civil, political and religious liberties we enjoy, and desiring to secure the continuance of these blessings, do ordain and establish this Constitution."

Delegate Shannon moved the previous question on the entire subject matter.

Delegate Bollinger objected.

By a vote of 13 yeas and 79 nays the Convention refused to order the previous question on the entire subject matter at this time.

Motion

Delegate Tapper moved the previous question on the amendment.

Delegate Kilbourne objected.
By a vote of 18 yeas and 70 nays, and the Convention refused to order the previous question on the amendment at this time.

Delegate Perez moved the adoption of the amendment.

Delegate A. Jackson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<td></td>
<td>Wisham</td>
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<td></td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**FLOOR AMENDMENT**

Delegate Corne sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Corne to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete line 14 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“We, the people of Louisiana, grateful for the sacrifice and contribution of past generations, whose wisdom has made us a part of our great nation, devoting ourselves to the perpetuation of individual and equal rights to life, liberty, and property and to insure a representative and orderly government which will protect and defend the health, safety, and welfare of all, with the help of Almighty God, do ordain and establish this constitution.”

Delegate Corne moved the adoption of the amendment.

Delegate A. Jackson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>DELEGATES</th>
<th>YEAS</th>
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<td>Stephenson</td>
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<td>Tate</td>
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<td>Thompson</td>
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<td>Willis</td>
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</tbody>
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<table>
<thead>
<tr>
<th>DELEGATES</th>
<th>NAYS</th>
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<td>Fulco</td>
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<td>Goldman</td>
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<td>Jackson, A.</td>
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<td>Jackson, J.</td>
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<td>Juneau</td>
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<td>Kelly</td>
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<td>Kilpatrick</td>
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<td>Lambir</td>
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<td>Landrum</td>
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<td>Landry, E. J.</td>
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<td>Lennox</td>
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<td>Mire</td>
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<td>Munson</td>
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<td>Newton</td>
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<td>O'Neill</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**FLOOR AMENDMENT**

Delegate Corne sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Corne to Committee Proposal No. 25 by Delegate Jackson, et al.
Passage
Committee Proposal No. 25, A Preamble, was read.
Delegate A. Jackson moved the passage of the Preamble.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman—
Abrahm—
Aerker—
Alario—
Alexander—
Arnette—
Asseff—
Avant—
Bergeron—
Bollinger—
Brien—
Brown—
Burns—
Burson—
Carmouche—
Casey—
Champagne—
Chateiain—
Chehardy—
Conino—
Conroy—
Corne—
D’Gerolamo—
De Bieaux—
Dennery—
Dennis—
Dunlap—
Flory—
Fowler—

Total—87.

NAYS

Delegates—
Anzelene—
Badeaux—
Drew—
Elkins—
Fontenot—

Total—13.

ABSENT

Delegates—
Armentor—
Bel—
Blair—
Cannon—
Cowen—
Derbes—

Ourso—
Pugh—
Rachal—
Rayburn—
Riecke—
Schmitt—
Silverberg—
Slay—
Stinson—
Taylor—
Ullo—
Velazquez—
Vesich—
Wall—

Total—32.

And the Chair declared that the above Preamble was passed.
Delegate A. Jackson moved to reconsider the vote by which the above Preamble was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Tate, the Convention altered the Order of Business to take up other orders of business at this time.

COMMITTEE NOTICE
Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:
The Committee on Style and Drafting will meet on Wednesday, September 12, 1973 at 9:30 o’clock A. M. in Committee Room No. 9 and will consider the following agenda:

AGENDA
To consider the proposals referred to the Committee.
Respectfully submitted,
Delegate ALBERT TATE, Jr.
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Schmitt—1 day.
Delegate Ullo—1 day.
Delegate Leithman—3 days.
Delegate Stinson—1 day.
Delegate Silverberg—1½ days.
Delegate Velazquez—1 day.
Delegate Giarrusso—4 days.
Delegate Rayburn—½ day.
Delegate Cannon—½ day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Wednesday, August 29, 1973, at 9:00 o’clock A. M. Which motion was agreed to.
And Chairman Henry declared the Convention adjourn to Wednesday, August 29, 1973 at 9:00 o’clock A. M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

THIRTY-EIGHTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 9:00 o'clock a.m.,
by Hon. T. A. Casey, Vice-Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman—Fowler
Abraham—Perkins
Aertker—Planchar
Alario—Pugh
Alexander—Rachel
Anzalone—Rayburn
Arnette—Reeves
Asseff—Riecke
Avant—Robinson
Badeaux—Roemer
Bel—Roy
Bergeron—Sandoz
Blair—Schmitt
Blollerger—Segura
Brien—Shannon
Brown—Singletary
Burns—Silverberg
Burson—Slay
Cannon—Smith
Carmouche—Soniat
Casey—Stagg
Champagne—Stephenson
Chatelain—Stinson
Chehardy—Stovall
Conino—Sutherland
Corio—Tapper
Conroy—Tate
Cowen—Thistlethwaite
D’Gerolamo—Thompson
De Blieux—Tobias
Denenery—Toca
Dennis—Tommy
Derbes—Ulio
Deshots—Velasquez
Drew—Vick
Dunlap—Warren
Duval—Weiss
Elkins—Willis
Edwards—Wisham
Eayard—Wommack
Flory—Zervigon
Fontenot—Total—126.

ABSENT

Delegates—
Armentor—Hardee
Carrasso—Taylor
Leithman—Wall
Total—6.

The Chairman announced that there were 126 members
present and a quorum.

Prayer

Prayer was offered by Delegate Bergeron.

Pledge of Allegiance

Delegate Ullo led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate A. Landry, the reading of the
Journal was dispensed with.

On motion of Delegate A. Landry, the Journal of yester-
day was adopted.

Morning Hour

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolu-
tions on second reading to be referred to Committees
were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 45—
Introduced by Delegate Warren:

A RESOLUTION

To provide for the submission of an alternative proposal
relative to the method of selecting the superintendent
of education.

Read.

Under the rules the above Resolution was referred to
the Committee on Rules, Credentials and Ethics.

Unfinished Business

The following unfinished business in which the House was
engaged at the time of its adjournment on yesterday was
taken up and acted on:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee
on Bill of Rights and Elections (Substitute for Committee
Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf
of the Committee on Bill of Rights and Elections, and Dele-
gates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick,
Wall and Weiss):

A PROPOSAL

To provide a preamble and a declaration of rights to the
constitution.

Read.

ARTICLE I. DECLARATION OF RIGHTS
Section I. Origin and Purpose of Government

Section 1. All government, of right, originates with the
people, is founded on their will alone, and is instituted to
protect the rights of the individual and for the good of the
whole. Its only legitimate ends are to secure justice for all,
preserve peace, and promote and protect the rights, happy-
ness, and general welfare of the people. The rights enumer-
atied in this Article are inalienable and shall be preserved
inviolate.

Read.

FLOOR AMENDMENT

Delegate Zervigon sent up a floor amendment, which
was read as follows:

Amendment proposed by Delegate Zervigon to Committee
Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 1, line 30, immediately after the word and
the punctuation "peace," and before the partial word "happi-
delete the words and punctuation "and promote and protect
the rights," and insert in lieu thereof the following:
"protect the rights, and promote the"

Delegate Zervigon moved the adoption of the amendment,
on motion of Delegate Zervigon the amendment was
adopted.

Delegate Zervigon moved to reconsider the vote by which
the amendment was adopted, and on her own motion, the
motion to reconsider was laid on the table.

396
Motion

Delegate O'Neill moved that the Convention defer any further action on the Section at this time.

Delegate Roy objected.

By a vote of 46 yeas and 40 nays further action on the above Section was deferred at this time.

Section 2. Due Process of Law

Section 2. No person shall be deprived of life, liberty, property, or other rights without substantive and procedural due process of law.

Read.

FLOOR AMENDMENT

Delegate Pugh sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Pugh to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, line 4, after the word "without" and before the word "substantive" insert the following: "there being first afforded both"

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Jack sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Jack to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, line 3, at the end of the line, immediately after the word "liberty" delete the comma ",," and insert in lieu thereof the word "or"

AMENDMENT No. 2—

On page 2, line 4, immediately after the word "property" and the comma "," delete the remainder of the line and insert in lieu thereof the words "except by"

On motion of Delegate Jack the amendments were withdrawn.

Delegate Thistlethwaite sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Thistlethwaite, Stagg, Tate, and Sandoz to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 2 through 5, both inclusive in their entirety and insert in lieu thereof the following:

"Section 2. Due Process; Equal Protection; Right to Property

"Section 2. No person shall be deprived of life, liberty, property, or other rights without due process of law, nor be denied the equal protection of the laws. No law shall discriminate against a person in the exercise of his rights. Private property shall not be taken or damaged nor shall vested rights be divested, except for a public purpose and after just and adequate compensation."

Delegate Thistlethwaite moved the adoption of the amendment.

Delegate O'Neill objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario, Kilbourne, Landry, A., Lanier, LeBlanc, LeNoux, McDaniels, Miller, Nunez, Perez, Planchard.

NAYS

Delegates—

A. Tate, Kilbourne, Landry, A., Lanier, LeBlanc, LeNoux, McDaniels, Miller, Nunez, Perez, Planchard.

ABSENT

Delegates—

Mr. Chairman, Mr. Armentor, Mr. Cannon, Mr. Derbes, Mr. Deshotels, Mr. Edwards, Mr. Fayard, Mr. Fowlser, Mr. Flory, Mr. Fullo, Mr. Gauthier, Mr. Ginn, Mr. Goldman, Mr. Gravel, Mr. Grier, Mr. Guarisco, Mr. Hayes, Mr. Haynes, Mr. Hernandez, Mr. Jackson, Mr. Jenkins, Mr. Juneau, Mr. Kelly, Mr. Kilpatrick, Mr. Landrum, Mr. Landry, E. J., Mr. Lowe, Mr. Martin, Mr. Mauberret, Mr. Mire, Mr. Munson, Mr. Newton, Mr. O'Neil, Mr. Ourso, Mr. Perkins, Mr. Pugh, Mr. Pugh, Mr. Fontenot, Mr. Giarrusso, Mr. Hardee, Mr. Lambert, Mr. LeBreton, Mr. Leithman, Mr. Rachal, Mr. Reeves, Mr. Robinson, Mr. Roemer, Mr. Roy, Mr. Schmitt, Mr. Segura, Mr. Shannon, Mr. Singleterey, Mr. Slay, Mr. Smith, Mr. Soniat, Mr. Stephenson, Mr. Stinson, Mr. Stovall, Mr. Tapper, Mr. Thompson, Mr. Tobias, Mr. Velazquez, Mr. Vick, Mr. Warren, Mr. Weiss, Mr. Whisham, Mr. Womack, Mr. Zervigon.

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 3 through 5, both inclusive in their entirety and insert in lieu thereof the following:

"Section 2. No person shall be deprived of life, liberty or property, except by due process of law. Except as otherwise provided in this constitution, private property shall not be
taken or damaged except for public purposes and after just and adequate compensation is paid.”

**Motion**

Delegate Stovall moved that further action on Section 2 be deferred at this time.

Delegate Jenkins objected.

By a vote of 26 yeas and 74 nays the Convention refused to defer further action on Section 2 at this time.

**Motion**

Delegate Perez moved that the amendment be withdrawn.

Delegate Guarisco objected.

By a vote of 93 yeas and 11 nays the amendment was withdrawn.

Delegate Perez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Perez to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 3 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 2. No person shall be deprived of life, liberty or property, except by due process of law.”

**AMENDMENT No. 2—**

Add the following after the language added by Amendment No. 1:

“Except as otherwise provided in this constitution, private property shall not be taken or damaged except for public purposes and after just and adequate compensation is paid.”

On motion of Delegate Perez a division of the question was ordered.

Delegate Perez moved the adoption of Amendment No. 1.

Delegate Vick objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Guarisco</td>
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<tr>
<td>Aertker</td>
<td>Hayes</td>
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<tr>
<td>Alario</td>
<td>Haynes</td>
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<tr>
<td>Anzalone</td>
<td>Jackson, A.</td>
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<tr>
<td>Arnette</td>
<td>Jackson, J.</td>
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<tr>
<td>Asseff</td>
<td>Jenkins</td>
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<td>Badeaux</td>
<td>Kelly</td>
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<td>Blair</td>
<td>Kilpatrick</td>
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<td>Bollinger</td>
<td>Lambert</td>
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<td>Brown</td>
<td>Landrum</td>
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<td>Burns</td>
<td>Landry, E. J.</td>
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<td>Burson</td>
<td>D'Gerolamo</td>
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<td>Carmouche</td>
<td>De Bieux</td>
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<td>Casey</td>
<td>Denning</td>
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<td>Champagne</td>
<td>Dunlap</td>
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<td>Conino</td>
<td>Elkins</td>
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<tr>
<td>Corney</td>
<td>Flory</td>
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<tr>
<td>Cowen</td>
<td>Total—60.</td>
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<td>Total—60.</td>
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</table>

And the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted and on his own motion, the motion to reconsider was laid on the table.

On motion of Delegate Perez, and under a suspension of the rules, Amendment No. 2 was withdrawn.

**Passage**

Committee Proposal No. 25, Section 2, was read, as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
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<tr>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Aertker</td>
<td>Reeves</td>
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<td>Alario</td>
<td>Roemer</td>
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<td>Anzalone</td>
<td>Roy</td>
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<td>Arnette</td>
<td>Singletary</td>
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<td>Asseff</td>
<td>Shaginol</td>
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<td>Badeaux</td>
<td>Soniat</td>
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<td>Blair</td>
<td>Stinson</td>
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<td>Bollinger</td>
<td>Stovall</td>
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<td>Brown</td>
<td>Thompson</td>
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<td>Burns</td>
<td>Tobias</td>
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<tr>
<td>Burson</td>
<td>Toca</td>
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<tr>
<td>Carmouche</td>
<td>Total—51.</td>
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<tr>
<td>Casey</td>
<td>Carbon</td>
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<td>Conino</td>
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<td>Corney</td>
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<td>Cowen</td>
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<tr>
<td>Total—51.</td>
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**ABSENT**

<table>
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<tr>
<th>Delegate—</th>
<th>Absent</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
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<td>Armentor</td>
<td>Giarrusso</td>
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<td>Connon</td>
<td>Hardie</td>
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<td>Derbes</td>
<td>Hernandez</td>
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<td>Deshotels</td>
<td>Leithman</td>
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<td>Edwards</td>
<td>Martin</td>
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<td>Fayard</td>
<td>O'Neill</td>
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<td>Total—21.</td>
<td>Ousoo</td>
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<td>Stephenson</td>
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<td>Taylor</td>
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<td>Veslich</td>
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<td>Asseff</td>
<td>Wall</td>
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<td>Badeaux</td>
<td>Zerinvot</td>
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<td>Blair</td>
<td>Total—60.</td>
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<td>Bollinger</td>
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<td>Brown</td>
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<td>Monson</td>
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<td>Burson</td>
<td>Newton</td>
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<td>Carmouche</td>
<td>Nunez</td>
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<td>Casey</td>
<td>O'Neil</td>
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<td>Champagne</td>
<td>Perez</td>
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<td>Conino</td>
<td>Perkins</td>
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<td>Corney</td>
<td>Planard</td>
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<td>Cowen</td>
<td>Pugh</td>
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<td>Total—60.</td>
<td>Rayburn</td>
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<td>Total—60.</td>
<td>Reeves</td>
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<td>Blair</td>
<td>Riecke</td>
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<td>Bollinger</td>
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<td>Smith</td>
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<td>Total—60.</td>
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<td>Total—60.</td>
<td>Stagg</td>
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<td>Total—60.</td>
<td>Stovall</td>
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<td>Brown</td>
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<td>Burns</td>
<td>Tobias</td>
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<tr>
<td>Burson</td>
<td>Toca</td>
</tr>
</tbody>
</table>
ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmonche
Casey
Champagne
Chatelain
Chehady
Conino
Conroy
Corne
Cowan
D'Gerolamo
De Blieux
Dennery
Dennis
Deshotel
Drew
Dunlap
Duval
Edwards
Elkins
Flory
Fontenot
Fowler
Fulco
Total—119.

NAYS

Delegates—
Ullo
Velazquez
Vick
Total—109.

NAYS

Delegates—
Weiss
Willis
Winchester
Wisham

Absent—
Warren
Total—1.

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of delegate A. Jackson, the Convention altered the Order of Business to take up Committee Proposal No. 25, Section 1 at this time.

ARTICLE I. DECLARATION OF RIGHTS

Section 1. Origin and Purpose of Government

Section 1. All government, of right, originates with the people, is founded on their will alone, and is instituted to protect the rights of the individual and for the good of the whole. Its only legitimate ends are to secure justice for all, preserve peace, and promote and protect the rights, happiness, and general welfare of the people. The rights enumerated in this Article are inalienable and shall be preserved inviolate.

On motion of Delegate A. Jackson Committee Proposal No. 25, Section 1, on which action was previously deferred, was taken up and acted upon as follows:

Delegate Lanier sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Lanier to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, line 32, after the word "inalienable" and before the word "and" insert the following:

"by the state"

AMENDMENT No. 2—

On page 2, line 1 after the word "inviolable" add the words "by the state."

Delegate Lanier moved the adoption of the amendment.

Delegate Dennery objected.

By a vote of 112 yeas and 6 nays the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 25, Section 1, was read, as amended.

Delegate A. Jackson moved the passage of the Section to a vote.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Abraham moved for a suspension of the rules in order to allow Delegate Roy an additional five minutes, beyond the time allowed by the rules, to answer questions put to him from the floor of the Convention.

Delegate Jack objected.
38th Days Proceedings—August 29, 1973

By a vote of 81 yeas and 31 nays the rules were suspended.

Motion

Delegate Rayburn moved that Delegates be allowed to address the Convention on the entire Section prior to taking up amendments pertaining to the Section.

As a substitute Delegate De Bieux moved that amendments be considered immediately after an explanation of the Section by a proponent.

The vote recurred on the substitute motion.

By a vote of 37 yeas and 73 nays the Convention refused to adopt the substitute motion.

The vote then recurred on the original motion.

On motion of Delegate Rayburn the Convention agreed that Delegates could address the Convention on the entire Section prior to considering amendments thereto.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

State of Louisiana
OFFICE OF LOUISIANA
Baton Rouge

August 29, 1973

Hon. Wade O. Martin, Jr.
Secretary of State
Baton Rouge, Louisiana

Dear Mr. Martin:

Please issue commission to the following:

Charles Wattigny, 113 Evangeline, New Iberia, as Delegate to the Constitutional Convention of 1973 (District 38), Vice Minos H. Armentor, resigned.

Yours very truly,

EDWIN EDWARDS
Governor of Louisiana

OATH OF OFFICE

Mr. Charles Wattigny appeared before the bar of the Convention and took the following oaths of office administered by Honorable David R. Poynter, Clerk of the House of Representatives and Chief Clerk of the Constitutional Convention:

"I hereby solemnly swear that I will support the Constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assembled. So help me God."

"(Charles Wattigny) do solemnly swear that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention, according to the best of my ability and understanding. So help me God."

Proposals

Delegate and Committee, Resumed

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guariesco, Jenkins, Roy, Stinson, Stinson, Vick, Wall and Weiss):

Read.

Section 3. Right to Individual Dignity

Section 3. No person shall be denied the equal protection of the laws nor shall any law discriminate against a person in the exercise of rights on account of birth, race, age, sex, social origin, physical condition, or political or religious ideas. Slavery and involuntary servitude are prohibited, except in the latter case as a punishment for crime.

Read.

Motion

Delegate Landrum moved for a suspension of the rules in order to allow Delegate Jack an additional time of three minutes in which to address the Convention.

Delegate Tapper objected.

By a vote of 64 yeas and 30 nays the rules were suspended in order to allow Delegate Jack and additional three minutes in which to address the Convention.

Motion

Delegate J. Jackson moved that the Convention consider amendments to the Section 3 at this time.

Delegate Stinson objected.

By a vote of 75 yeas and 24 nays the Convention proceeded with amendments to the Section.

Delegate Juneau sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Juneau to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 6 through 12, both inclusive, in their entirety and insert in lieu thereof the following: "Section 3. Equal Protection of the Law. Section 3. No person shall be denied equal protection of the laws."

Delegate Juneau moved the adoption of the amendment.

Delegate A. Jackson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Alario
Anzalone
Arnette
Asseff
Bollinger
Burson
Cannon
Carmouche
Champagne
Conroy
Cowen
Dennis
Deshots
Drew
Duval
Elkins
Total—51.

Fayard
Fontenot
Fowler
Jack
Junca
Kilbourne
Landry
Lanier
LeBlanc
Leigh
Lennox
McDaniel
Maupin
Munson
Nunez
O'Neill
Perez
Perkins
Planchard
Rayburn
Riecke
Sandoz
Singletary
Smith
Stinson
Sutherland
Tate
Thistlethwaite
Toomy
Ullo
Vestich
Willis
Winchester
Womack
Zervigon

400
Making provisions for the judiciary branch of government and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE V. JUDICIAL BRANCH

Section 1. Judicial Power

Section 1. The judicial power shall be vested in a supreme court, courts of appeal, district courts, and other courts authorized by this constitution.

Section 2. Habeas Corpus, Needful Writs, Orders and Process

Section 2. A judge may issue writs of habeas corpus and all other needful writs, orders and processes in aid of the jurisdiction of his court. Exercise of this authority by a judge of the supreme court or court of appeal is subject to review by the whole court. The power to punish for contempt of court shall be limited by law.

Section 3. Supreme Court; Composition; Judgments; Terms

Section 3. The supreme court shall be composed of a chief justice and six associate justices, four of whom must concur to render judgment. The term of a judge of the supreme court shall be ten years.

Section 4. Supreme Court; Districts

Section 4. The state shall be divided into at least six supreme court districts, with at least one judge elected from each. The present districts and the number of judges assigned to each are retained, subject to change by a two-thirds vote of the elected members of each house of the legislature.

Section 5. Supreme Court; Supervisory, Original, and Appellate Jurisdiction; Rule-Making Power; Assignment of Judges

Section 5. (A) The supreme court has general supervisory jurisdiction over all other courts. It may establish procedural and administrative rules not in conflict with law. It may assign a sitting or retired judge to any court.

(B) The supreme court has exclusive original jurisdiction of disciplinary proceedings against members of the bar.

(C) Except as otherwise provided in this constitution, the supreme court’s jurisdiction in civil cases extends to both the law and the facts. In criminal matters, its appellate jurisdiction extends only to questions of law.

(D) In addition to appeals provided for elsewhere in this constitution, the following cases shall be appealable to the supreme court:

(1) A case in which a law or ordinance has been declared unconstitutional;

(2) Cases in which the defendant has been convicted of a felony or in which a fine exceeding five hundred dollars or imprisonment exceeding six months has been actually imposed.

Subject to the provisions of Paragraph (C), the supreme court has appellate jurisdiction over all issues involved in any civil action properly before it.

(F) In all criminal cases not provided for in subsection (D) of this Section an accused shall have a right of appeal or review, as provided by law.

Section 6. Supreme Court; the Chief Justice

Section 6. (A) When a vacancy in the office of chief justice occurs, the judge oldest in point of service on the court shall succeed to the office.

(B) The chief justice is the chief administrative officer of the judicial system of the state, subject to rules adopted by the court.

Section 7. Supreme Court; Judicial Administrator, Clerks and Staff

Section 7. The supreme court has authority to select a judicial administrator, its clerks, and other personnel, and prescribe their duties.

Section 8. Courts of Appeal; Panels; Number Necessary to Decision; Terms

Section 8. The state shall be divided into at least four circuits, with one circuit of appeal in each circuit. Each court shall sit in panels of at least three judges selected according to rules adopted by the court. A majority of the judges sitting in a case must concur to render judgment. However, when the judgment of the district court is to be modified or reversed and one judge dissent, the case shall be reconvened, before a panel of at least five judges, prior to rendition of judgment, and a majority must concur to render judgment. The term of a court of appeal judge shall be ten years.
Section 9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts, with at least one judge elected from each. After January 1, 1973, no judge shall be elected at large from within the circuit. The present number of judges and districts and the number of judges to be elected in each circuit are retained, subject to change by two-thirds vote of the elected members in each house of the legislature.

Section 10. Courts of Appeal; Appellate and Supervisory Jurisdiction

Section 10. (A) Except in those cases appealable to the supreme court and as otherwise provided in this constitution, a court of appeal has appellate jurisdiction of all civil cases decided within its circuit. It has appellate jurisdiction of all matters appealed from the family and juvenile courts, except criminal prosecutions of persons other than juveniles. It has supervisory jurisdiction over all cases in which an appeal would lie to that court.

(B) Except as limited to questions of law by this constitution or as provided by law in the case of review of administrative agency determinations, its appellate jurisdiction extends to law and facts.

Section 11. Courts of Appeal; Certification to Supreme Court; Determination

Section 11. A court of appeal may certify any question of law to the supreme court before it renders its decision, whereupon the supreme court may give its binding instruction, or consider and decide the case upon the whole record.

Section 12. Courts of Appeal; Chief Judge; Duties

Section 12. There shall be a chief judge of each court of appeal whose principal duty shall be to keep in point of service on the court and who shall administer the court subject to rules adopted by the court.

Section 13. Courts of Appeal; Clerks and Staff

Section 13. Each court of appeal shall have authority to select its clerk and such other personnel as it may prescribe for their duties.

Section 14. District Courts; Judicial Districts

Section 14. The state shall be divided into judicial districts; each composed of one or more parishes and served by one or more district judges.

Section 15. Courts; Continued; Jurisdiction; Judicial Districts Changes; Terms

Section 15. (A) The district, parish, magistrate, city, family, and juvenile courts existing at the time of the adoption of this constitution are retained. The legislature may abolish or merge trial courts of limited or specialized jurisdiction subject to the limitations in Sections 16 and 21 of this Article. The legislature may establish trial courts of limited jurisdiction which shall have parish wide territorial jurisdiction and subject matter jurisdiction which shall be limited to the state. The office of city marshal is continued until such time as the city court he serves is abolished by the legislature.

(B) The judicial districts existing at the time of the adoption of this constitution are retained. The legislature, by a majority vote of the elected members of each house, with approval in a referendum in each district and parish affected, may establish, divide, or merge judicial districts, subject to the limitations of Section 21 of this Article.

(C) The term of a district and parish judges shall be six years.

(D) The legislature may increase or decrease the number of judges in any judicial district by a two-thirds vote of the elected membership of each house.

Section 15.1. Court of City Judge; Terms

Section 15.1. A judge of a city court shall be elected for the same term as a district court judge.

Section 16. District Courts; Original Jurisdiction

Section 16. (A) Unless otherwise authorized by this constitution, a district court shall have original jurisdiction in all civil and criminal matters, over the judges and others have exclusive original jurisdiction of felony cases and of cases involving: the title to immovable property; the right to office or other public position; civil or political rights; probate and succession matters; the state, a political corporation, or a succession, as a party defendant, regardless of the amount in dispute; and the appointment of receivers or liquidators to corporations or partnerships.

(B) A district court shall have appellate jurisdiction as provided by law.

Section 17. District Courts; Chief Judge

Section 17. Each district court shall elect from its members a chief judge who shall exercise, for the term designated by the court, the administrative functions as provided by rule of court.

Section 18. Juvenile Courts; Jurisdiction

Section 18. Notwithstanding any provision of this Article to the contrary, the juvenile and family courts shall have such jurisdiction as the legislature shall provide by law.

Section 19. Mayors' Courts; Justices of the Peace; Continued

Section 19. Mayors' courts and justice of the peace courts existing at the time of the adoption of this constitution are continued subject to change by the legislature.

Section 21. Judges; Term of Office or Compensation May Be Decreased

Section 21. No judge's term of office or compensation shall be decreased during the term for which he is elected.

Section 22. Judges; Election; Vacancy in Office

Section 22. (A) Except as otherwise provided in this Section all judges shall be elected. Election of judges shall be at the regular congressional election.

(B) A newly created judgeship or a vacancy in the office of any judge shall be filled by a special election which shall be called by the governor, and held within six months of the time at which the judgeship shall be abolished, except when the vacancy occurs in the last six months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person meeting the qualifications other than domicile in the office, to serve at its pleasure, who shall not be eligible for election to the judgeship at the election to fill the vacancy or the newly created judicial office.

(C) A judge serving on the date of adoption of this constitution shall continue in office for the term to which elected and shall serve through December thirty-first of the last year of his term or, if the last year of his term is not designated, for a term of one year, at the next general election, then through December thirty-first of the following year. The election for the next term in the office will be held in the year in which the term expires as provided above.

Section 23. Retirement of Judges

Section 23. (A) Within two years after the effective date of this constitution, the legislature shall provide for a retirement system for judges which shall apply to a judge taking office after the effective date of the statute enacting the system and to which a judge in office at the time of its enactment shall be entitled. A judge retiring under this provision who continues to serve all primary years of judicial service without contribution therefor; provided, however, a judge in office or retired at the time of adoption of this constitution, shall not have diminished any retirement benefits or judicial service rights, nor shall the benefits to which his surviving spouse is entitled, be reduced.

(B) A judge shall not remain in office beyond his seventieth birthday, except as otherwise provided in this Section.

Section 24. Judges; Qualifications; Practice of Law Prohibited

Section 24. A judge of the supreme court, court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his election, shall have been domiciled in the respective district, circuit, or parish for at least two years immediately preceding election, and shall not practice law.

Section 25. Judiciary Commission; Composition; Terms; Vacancy; Grounds for Removal; Powers

Section 25. (A) The Judiciary Commission shall consist of one court of appeal judge and two district court judges in the same county; the supreme court judge, or other attorney admitted to the practice of law for at least ten years and one attorney admitted to the practice of law for at least three years but not more than ten years who are not judges, active or retired, nor public officials other than notaries public, selected by the Louisiana Conference of Court of Appeals Judges' Association or its successor; and three citizens, not lawyers, judges active or retired, nor public officials, ap-
appointed by the Louisiana District Judges' Association or its successor.

(b) A member of the commission shall serve a four-year term and shall not be eligible to succeed himself.

(c) A member's term shall terminate when he loses the status as a member of the court or anytime occurs which would have made him ineligible for appointment.

(d) When a vacancy occurs, a successor shall be appointed for a four-year term by the authority which appointed his predecessor.

(e) On recommendation of the Judiciary Commission, the supreme court may censure, suspend with or without salary, remove from office, or retire involuntarily a judge for willful misconduct relating to his official duty, willful and persistent failure to perform his duty, persistent and public conduct prejudicial to the administration of justice that brings the judicial office into disrepute, conduct while in office which would constitute a felony, or conviction of a felony. On recommendation of the Judiciary Commission, the supreme court may disqualify a judge from exercising any judicial function, without loss of salary, during the pendency of the proceedings in the supreme court. On recommendation of the Judiciary Commission, the supreme court may retire involuntarily a judge for disability that seriously interferes with the performance of his duties and that is, or is likely to become, of a permanent character. The supreme court shall make rules implementing this section and providing for confidentiality and privilege of commission proceedings.

(f) Action against a judge under this Section shall not preclude disciplinary action against him with respect to his license to practice.

Section 29. Department of Justice; Composition; Attorney General; Election and Assistants

Section 29. There shall be a department of justice consisting of an attorney general, a first assistant attorney general, and other necessary assistants and staff. The attorney general shall be appointed for a term of four years at the state general election, and the assistants shall be appointed by the attorney general to serve at his pleasure.

Section 30. Attorney General; Powers and Duties; Vacancy

Section 30. (A) The attorney general shall be the state's chief legal officer. As may be necessary for the assertion or protection of the rights and interests of the state, the attorney general shall have authority to:

(1) Institute and prosecute or intervene in any civil action or proceeding;

(2) Advise and assist, upon request of a district attorney, in the prosecution of a criminal case; and

(3) For cause when authorized by the court of original jurisdiction in which any prosecution or affidavit is pending, subject to judicial review, supersede any attorney representing the state in any civil or criminal action.

He shall have such other powers and perform such other duties as may be authorized by this constitution or provided by statute.

Section 31. District Attorney; Election; Qualifications; Assistants

Section 31. In each judicial district a district attorney shall be elected by the qualified electors of the district for a term of six years. He shall have been admitted to the practice of law in the state for at least five years prior to his election and shall have resided in the district for the two years immediately preceding election. A district attorney may select such assistants as may be authorized by law and other personnel.

Section 32. Defense of Criminal Prosecution; Removal

Section 32. No district attorney or his designated assistant shall have charge of every criminal prosecution pending in his district, shall be the chief of his office, and shall perform all its duties with such duties and powers as may be prescribed by law and he may appoint, with the approval of the district judges, district attorneys with such duties and powers as may be prescribed by law.

Section 33. The Legislature shall establish statewide uniform office hours for all clerks of district courts.

Section 34. Coroner; Election; Term; Qualifications; Duties

Section 34. In each parish, a coroner shall be elected for a term of four years. He shall be a licensed physician and possess such other qualifications and perform such duties as are provided by law; however, the requirement that he be a licensed physician shall not apply to any parish in which there is no licensed physician who will accept the office.

Section 35. Vacancies

Section 35. When a vacancy occurs in the following offices, the duties of the office, until it is filled by election as provided by law, shall be assumed by: in the case of sheriff, the chief criminal deputy; district attorney, the first assistant district attorney or the chief deputy; coroner, the chief deputy. If there is no such person to assume the duties at the time of the vacancy, the governing authority or authorities of the parish or parishes concerned shall appoint a qualified person to assume the duties of the office until filled by election.

Section 36. Reduction of Salaries and Benefits Prohibited

Section 36. No attorney general, judge, district attorney, sheriff, coroner, or clerk of the district court shall have his salary or retirement benefits diminished during his term of office.

Section 37. Orleans Parish Courts, Officials; Continued

Section 37. Except for provisions relating to terms of office as provided elsewhere in this Article and notwithstanding any other provision of this constitution to the contrary, the following courts and officials in Orleans Parish are continued, subject to change by a vote of a majority of the elected members of each house of the legislature: the civil and criminal district courts, the city, municipal, traffic and juvenile courts, the clerks of the civil and criminal district courts, the civil and criminal sheriffs, the constables and the clerks of the first and second city courts, the register of conveyances, and the recorder of mortgages.

Section 38. Jurors; Qualifications; Exemptions

Section 38. (A) A citizen of the state, who is domiciled within the parish in which he is to serve as a juror and who has reached the age of majority, is eligible to serve as a juror. The legislature may provide additional qualifications.

Section 39. The supreme court by rule shall provide for exemption of jurors.

Section 40. Grand Jury

Section 40. (A) There shall be a grand jury or grand juries in each parish whose qualifications, duties and responsibilities shall be provided by law. The secrecy of the proceedings, including the identity of the witnesses appearing, shall be provided for by law.

(B) Except as otherwise provided in this constitution, a district attorney, or his designated assistant, shall have charge of every criminal prosecution pending in his district, shall be the representative of the state in his district before the grand jury, and its legal advisor. He shall perform such other duties as may be provided by law.

(C) At all stages of grand jury proceedings, anyone testifying in such proceedings shall have the right to the advice of counsel while testifying.

Respectfully submitted,
MOISE W. DENNY
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

Motion
On motion of Delegate Rayburn the rules were suspended in order to call a meeting of the Committee on Revenue,
Finance and Taxation without giving the required 24 hour notice.

COMMITTEE NOTICE

Mr. Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Wednesday, August 29, 1973, after adjournment in Committee Room No. 4 and will consider the following agenda:

AGENDA
To consider Committee Proposal No. 26.

Respectfully submitted,

B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Derbes—1 day.

Adjournment

Mr. Stovall moved that the Convention do now adjourn until Thursday, August 30, 1973 at 9:00 o'clock A.M.

Which motion was agreed to.

And Vice-Chairman Casey declared the Convention adjourned to Thursday, August 30, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer was offered by Delegate De Biewux.

Pledge of Allegiance

Delegate Ullo led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Reeves, the reading of the Journal was dispensed with.

On motion of Delegate Reeves, the Journal of yesterday was adopted.

Morning Hour

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 31—

Introduced by Delegate Denny

A PROPOSAL

Providing for trust; forced heirship.

Read.

Under the rules the above Proposal was referred to the Committee on Bill of Rights and Elections.

Unfinished Business

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Seniat, Stinson, Vick, Wall and Weiss)

Read.

Section 3. Right to Individual Dignity

Section 3. No person shall be denied the equal protection of the laws nor shall any law discriminate against a person in the exercise of rights on account of birth, race, age, sex, social origin, physical condition, or political or religious ideas. Slavery and involuntary servitude are prohibited, except in the latter case as a punishment for crime.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 25, Section 3, when it adjourned on Wednesday, August 29, 1973, which was taken up and acted upon as follows:

Delegate Denney sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Denney, Gravel, Avant, Conroy, Abraham, Arnette, Bel, Brian, Burns, Burson, Champagne, Chatelain, Cheephy, Conino, D’Gerolamo, De Biewux, Dennis, Flory, Gautier, Ginn, Gist, Guarisco, Heine, J. Jackson, J. E. Landry, Lanier, Miller, Pugh, Roy, Schmitt, Stagg, Stovall, Tapper, Thistlethwaite, Goldman, Velazquez, and Weiss to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 7 through 12 in their entirety and insert in lieu thereof the following:

"Section 3. No person shall be denied the equal protection
of the law. No law shall discriminate against a person on account of race or religious ideas, religious beliefs, or religious affiliations. No law shall arbitrarily, capriciously, or unreasonably discriminate against any person by reason of birth, age, sex, culture, physical condition, political ideas or political affiliation. Slavery and involuntary servitude are prohibited, except in the latter case as a punishment for crime."

Delegate Dennery moved the adoption of the amendment.

Delegate Kilbourne objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

### YEAS

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<td>Mr. Chairman</td>
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<td>Abraham</td>
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<td>De Blieux</td>
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<td>Dennery</td>
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<td>Duval</td>
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<td>Elkins</td>
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### NAYS

| Delegates— |     |
| Drew |     |
| Kilbourne |     |
| Total—6. |     |

### ABSENT

| Delegates— |     |
| Aarntz |     |
| Alario |     |
| Cannon |     |
| Edwards |     |
| Fagard |     |
| Giarrusso |     |
| Hardee |     |
| Jenkins |     |
| Keen |     |
| Total—25. |     |

And the amendment was adopted.
sonal effects, other than contraband, shall never be taken. The issue of whether the contemplated purpose be public and necessary shall be a judicial question, and determined as such without regard to any legislative assertion.

Read.

Delegate Pugh sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Pugh to Committee Proposal No. 23 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 14, after the words “right to” delete the remainder of the line and delete line 15 in its entirety and insert in lieu thereof the following: “acquire control, enjoy, own, protect, use, and”

**AMENDMENT No. 2—**

On page 2, line 19, after the words “purpose and” and before the word “just” delete the word “with” and insert in lieu thereof the words “only after”

**AMENDMENT No. 3—**

On page 2, line 19, after the word “compensation” add the words “has been”

**AMENDMENT No. 4—**

On page 2, line 20, after the word “paid” delete the remainder of the line, and insert in lieu thereof the following: “directly or indirectly to the owner or possessor. The owner”

On motion of Delegate Arnette a division of the question was ordered.

Delegate Pugh moved the adoption of the amendment No. 1.
Delegate Jenkins objected.

By a vote of 99 yeas and 7 nays the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh moved the adoption of amendments Nos. 2 and 3.

Delegate Abraham objected.

By a vote of 21 yeas and 82 nays the amendments were rejected.

Delegate Abraham moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh moved the adoption of the Amendment No. 4.

Delegate Abraham objected.

By a vote of 25 yeas and 81 nays the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Vice-Chairman Casey in the Chair**

Delegate Dennery sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Dennery to Committee Proposal No. 26 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 14, immediately after the word “person” and before the word “has” insert the following: “subject to reasonable statutory restrictions;”

Delegate Dennery moved the adoption of the amendment.
Delegate Bollinger objected.

By a vote of 74 yeas and 38 nays the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Dennery and Singletary to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 17, after the word “power” insert a period “,” and delete the remainder of the line and on line 18 at the beginning of the line delete the word and punctuation “heirship.”

Delegate Dennery moved the adoption of the amendment.
Delegate A. Jackson objected

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<thead>
<tr>
<th>Delegates</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
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<td>Slay</td>
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<td>Smith</td>
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**NAYS**

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<td>Perez</td>
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<td>Heine</td>
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<td>Hernandez</td>
<td>Rachal</td>
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<td>Bergeron</td>
<td>Jackson, A. Rayburn</td>
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<tr>
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<td>Jackson, J. Roy</td>
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</tr>
<tr>
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<td>Kean</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Burson</td>
<td>Kelly</td>
<td>Stinson</td>
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<tr>
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<td>Tapper</td>
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<td>Warren</td>
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<td>Landrum</td>
<td>Weiss</td>
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<td>Wisham</td>
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<td>Lennox</td>
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<tr>
<td>Total</td>
<td>55</td>
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</table>
39th Days Proceedings—August 30, 1973

Delegates—
Mr. Chairman
Cannon
Fayard
Girrussco
Hardee
Hayes
Total—18.

ABSENT
Lambert
Leithman
Newton
Oursso
Robinson
Segura
Silverberg
Tate
Taylor
Vesich
Wall
Wattigny

And the amendment was adopted.

Delegate Denney moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Fulco sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Fulco and Chehardy to Committee Proposal No. 28 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 16, after the word “property” change the period “;” to a semicolon “;” and add the following:
“and every person shall be entitled to own his home free of any state, parish, local, or any other taxes whatsoever. The legislature shall define what constitutes a home.”

Motion

Delegate Chehardy moved that the rules be suspended in order to allow Delegate Chehardy an additional ten minutes to answer questions from the floor of the Convention.

Delegate Champagne objected.

Substitute Motion

As a substitute Delegate Chehardy moved that Delegate Chehardy be allowed an additional 35 minutes to answer questions from the floor of the Convention.

The vote recurred on the substitute motion.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Anzalone
Asseff
Badeaux
Bel
Bergeron
Brown
Chelatin
Chehardy
Conino
Corre
D’Gerolamo
Deshotels
Edwards
Elkins
Fayard
Flory
Total—54.

Delegates—
Blair
Bollinger
Brien
Burns
Burson
Carmouche
Chateaux
Chehardy
Conino
Conre
D’Gerolamo
Deshotels
Edwards
Elkins
Fayard
Flory
Total—51.

NAYS

Delegates—
Abraham
Aertker
Arnette
Avant
Blair
Bollinger
Brien
Burns
Burson
Carmouche
Casey
Champagne
Conroy
Cowan
De Blieux
Denney
Dennis
Derbes
Drew
Dunlap
Duval
Fowler
Gauthier
Ginn
Haynes
Heine
Hernandez
Jenkins
Juneau
Kean
Kelly
LeBreton
Leigh
Lennox
Lowe
Martin
Miller
Mire
Monson
O’Neill
Perez
Perkins
Planchard
Rachal
Rayburn
Reeves

Robinson
Roemer
Sandoz
Shannon
Smith
Soniat
Stagg
Stovall
Sutherland
Thistlewaite
Thompson
Tobin
Warren
Wisham
Womack
Zervigon

ABSENT
Newton
Oursso
Schmitt
Segura
Silverberg
Tate
Taylor
Vesich
Wall
Wattigny

And the Convention refused to suspend the rules at this time.

Substitute Motion

As a further substitute, Delegate Velasquez moved that the rules be suspended in order to allow Delegate Chehardy an additional 20 minutes to answer questions from the floor of the Convention.

The vote recurred on the substitute motion.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Anzalone
Asseff
Avant
Badeaux
Bel
Bergeron
Brown
Burns
Carmouche
Chelatin
Chehardy
Conino
Corre
D’Gerolamo
Denney
Deshotels
Duval
Duval
Total—51.

NAYS

Delegates—
Abraham
Aertker
Arnette
Avant
Blair
Bollinger
Brien
Burns
Burson
Carmouche
Casey
Champagne
Conroy
Cowan
De Blieux
Dennis
Derbes
Elkins
Gauthier

Ginn
Haynes
Heine
Hernandez
Jackson, A.
Juneau
Kean
Kelly
LeBreton
Leigh
Lennox
Lowe
Martin
Miller
Mire
Monson
O’Neill
Perez
Perkins
Planchard
Rachal
Rayburn
Reeves

Robinson
Roemer
Sandoz
Shannon
Smith

Martin
Miller
Mire
Monson
O’Neill
Perez
Perkins
Rayburn
Robinson
Roemer
Sandoz
Shannon
Smith

408
Motion
Delegate Stinson moved to reconsider the vote by which the Convention refused to suspend the rules for 20 minutes to answer questions from the floor of the Convention.

Delegate Champagne objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegate—
Aertker
Alario
Alexander
Anzalone
Asseff
Avant
Badeaux
Bel
Bergeron
Bien
Brown
Carmouche
Chatelain
Chehardy
Conino
Corne
D’Gerolamo
Dennery
Deshotels
Dunlap
Edwards
Fayard
Flory
Fontenot
Fowler
Fulco
Goldman
Gravel
Guarisco
Hayes
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Killbourne
Lambert
Landrum
Landry, A.
Lanier
LeBlanc
Mauberret
Nunez
Planchard
Pugh
Riecke
Roy
Shannon
Singletary
Slay
Stinson
Tapper
Thompson
Tobias
Toca
Toomy
Ulo
Velazquez
Warren
Wills
Winchester

NAYS
Delegate—
Abraham
Arnette
Blair
Bollinger
Burns
Burson
Casey
Champagne
Conroy
Cowen
De Blieux
Derbes
Duval
Elkins
Gauthier
Ginn
Haynes
Heine
Jack
Juneau
Kean
Kelly
Kimpatrick
Landry, E. J.
LeBreton
Leigh
Lennox
Lowe
McDaniel
Martin
Miller
Mire
Monson
O’Neill
Perez
Perkins
Rachal
Rayburn
Robinson
Roeber
Sandos
Schmilt
Smith
Stagg
Stephenson
Stovall
Sutherland
Thistlewaite
Vick
Weiss
Womack
Zervigon

ABSENT
Delegate—
Mr. Chairman
Cannon
Dennis
Drew
Giarrusso
Hardee
Leithman
Newton
Ours
Segura
Silverberg
Tate
Taylor
Veich
Wall
Wattigny

And the vote by which the Convention refused to suspend the rules for a period of 20 minutes was reconsidered.

Delegate Stinson insisted on the motion made by Delegate Velazquez for a suspension of the rules for a period of 20 minutes to allow Delegate Chehardy to answer questions from the floor of the Convention.

Delegate Champagne objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegate—
Aertker
Alario
Alexander
Anzalone
Asseff
Avant
Badeaux
Bel
Bergeron
Bien
Brown
Carmouche
Chatelain
Chehardy
Conino
Corne
D’Gerolamo
Dennery
Deshotels
Dunlap
Edwards
Fayard
Flory
Fontenot
Fowler
Fulco
Goldman
Gravel
Guarisco
Hayes
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Killbourne
Lambert
Landrum
Landry, A.
Lanier
LeBlanc
Mauberret
Nunez
Planchard
Pugh
Riecke
Roy
Shannon
Singletary
Slay
Stinson
Tapper
Thompson
Tobias
Toca
Toomy
Ulo
Velazquez
Warren
Wills
Winchester

NAYS
Delegate—
Abraham
Arnette
Blair
Bollinger
Burns
Burson
Casey
Champagne
Conroy
Cowen
De Blieux
Derbes
Duval
Elkins
Gauthier
Ginn
Haynes
Heine
Jack
Juneau
Kean
Kelly
Kimpatrick
Landry, E. J.
LeBreton
Leigh
Lennox
Lowe
McDaniel
Martin
Miller
Mire
Monson
O’Neill
Perez
Perkins
Rachal
Rayburn
Robinson
Roeber
Sandos
Schmilt
Smith
Stagg
Stephenson
Stovall
Sutherland
Thistlewaite
Vick
Weiss
Womack
Zervigon

ABSENT
Delegate—
Mr. Chairman
Cannon
Dennis
Drew
Giarrusso
Hardee
Leithman
Newton
Ours
Segura
Silverberg
Tate
Taylor
Veich
Wall
Wattigny

And the vote by which the Convention refused to suspend the rules at this time.

The vote recurred on the original motion of Delegate Chehardy.
39th Days Proceedings—August 30, 1973

Delegate Champagne objected.

By a vote of 95 yeas and 21 nays the rules were suspended to allow Delegate Chehardy a period of 10 minutes to answer questions.

On motion of Delegate Fulco the amendment was withdrawn.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 18, after the word "damaged" and the word "except" insert the words "by any public or quasi-public agencies"

On motion of Delegate Dennery the amendment was withdrawn.

Delegate Kean sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kean, Heine to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 19, immediately after the word "purpose" insert a period "." and delete the remainder of the line and delete line 20 in its entirety and insert in lieu thereof the following:

"Just compensation shall be paid to the property owner or, in the event of disagreement, an estimate of just compensation, based upon appraisal, shall be paid into court for his benefit. In the latter event, possession shall be delivered upon deposit with the court. The owner"

Delegate Kean moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following results:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
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| Total—23. |

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</tr>
<tr>
<td>Burns</td>
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<tr>
<td>Burson</td>
</tr>
</tbody>
</table>

**ABSENT**

Delegates—

Mr. Chairman

Lambert, Landrum, LeBreton, Leithman, Newton, Ours, Perkins, Rachal, Shannon

Total—25.

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Abraham, the Convention altered the Order of Business to take up Petitions, Memorials and Communications at this time.

**Petitions, Memorials and Communications**

The following petitions, memorials and communications were received and read:

**STATE OF LOUISIANA**

Office of the Governor

Baton Rouge

Hon. Wade O. Martin, Jr.

Secretary of State

Baton Rouge, Louisiana

Dear Mr. Martin:

Please issue commission to the following:

(Dean) Louis Berry, Law School, Southern University, Baton Rouge, as Delegate to the Constitutional Convention of 1973, vice Representative Dorothy Mae Taylor, resigned (AT LARGE).

Yours very truly,

EDWIN EDWARDS

Governor of Louisiana

**OATH OF OFFICE**

Dean Louis Berry appeared before the bar of the Convention and took the following oaths of office administered by Honorable David R. Poynter, Clerk of the House of Representatives and Chief Clerk of the Constitutional Convention:

"I hereby solemnly swear that I will support the Constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assembled. So help me God."  

"I (Louis Berry) do solemnly swear that I will support the Constitution and laws of the United States and the Con-
sitution and laws of this State; and I will faithfully and
impartially discharge and perform all the duties incumbent
upon me as a delegate to the Constitutional Convention, ac-
cording to the best of my ability and understanding. So
help me God."

Chairman Henry in the Chair

Proposals
Delegate and Committee
Resumed

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee
on Bill of Rights and Elections (Substitute for Committee
Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf
of the Committee on Bill of Rights and Elections, and
Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson,
Vick, Wall and Weiss):

Read.

Section 4. Right to Property

Section 4. Every person has the right to acquire by volun-
tary means, to own, to control, to enjoy, to protect, and
to dispose of private property. This right is subject to the
reasonable exercise of the police power and to the law of
forced heirship. Property shall not be taken or damaged
except for a public and necessary purpose and with just
compensation paid to the owner or into court for his
benefit. The owner shall be compensated to the full extent
of his loss and has the right to a trial by jury to determine
such compensation. No business enterprise or any of its
assets shall be taken for the purpose of operating that enter-
prise or for the purpose of halting competition with govern-
ment enterprises, and personal effects, other than contra-
band, shall never be taken. The issue of whether the con-
templated purpose be public and necessary shall be a judicial
question, and determined as such without regard to any
legislative assertion.

Read.

Delegate Conroy sent up floor amendments, which were
read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Conroy to Committee
Proposal No. 23 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 24, at the beginning of the line, delete the
words “purpose of operating that enterprise or for the”

AMENDMENT No. 2—
On page 2, line 25, after the word “enterprises,” change
the comma “,” to a period “.” and delete the remainder
of the line and delete line 26 in its entirety

On motion of Delegates Conroy a division of the question
was ordered.

Delegate Conroy moved the adoption of Amendment No. 1.
Delegate Jenkins objected.

A record vote was asked for and ordered by the Conven-
tion.

ROLL CALL

The roll was called with the following result:

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<th>Yeas</th>
<th>Absent</th>
</tr>
</thead>
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<td>Detholets</td>
<td></td>
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<td>Burns</td>
<td>Drew</td>
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</tr>
<tr>
<td>Burson</td>
<td>Elkins</td>
<td></td>
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<td>Cannon</td>
<td>Fontenot</td>
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<tr>
<td>Casey</td>
<td>Fowler</td>
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<td>De Blieux</td>
<td>Landry, A.</td>
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<td>Denney</td>
<td>Lanier</td>
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YEAS

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<td>Total—61</td>
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NAYS

<table>
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<tbody>
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<td>Kilpatrick</td>
<td>Slay</td>
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<tr>
<td>Landrum</td>
<td>Soniat</td>
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</tr>
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<td>Stephenson</td>
<td></td>
</tr>
<tr>
<td>Leigh</td>
<td>Stinson</td>
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<tr>
<td>Lowe</td>
<td>Thompson</td>
<td></td>
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<tr>
<td>Martin</td>
<td>Urio</td>
<td></td>
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<td>Miller</td>
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<td></td>
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<td>Munson</td>
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<tr>
<td>Nezue</td>
<td>Willis</td>
<td></td>
</tr>
<tr>
<td>O'Neill</td>
<td>Winchester</td>
<td></td>
</tr>
<tr>
<td>Perez</td>
<td>Wisham</td>
<td></td>
</tr>
<tr>
<td>Pugh</td>
<td>Womack</td>
<td></td>
</tr>
<tr>
<td>Total—26</td>
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</table>

ABSENT

<table>
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<tr>
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<th>Yeas</th>
<th>Absent</th>
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</thead>
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<tr>
<td>Aetker</td>
<td>Kean</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Blair</td>
<td>Lambert</td>
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<tr>
<td>Berry</td>
<td>LeBirton</td>
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<tr>
<td>D'Gerolamo</td>
<td>Leithman</td>
<td></td>
</tr>
<tr>
<td>Derbes</td>
<td>Mire</td>
<td></td>
</tr>
<tr>
<td>Duval</td>
<td>Newton</td>
<td></td>
</tr>
<tr>
<td>Guarisco</td>
<td>Ours</td>
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</tr>
<tr>
<td>Hardee</td>
<td>Perkins</td>
<td></td>
</tr>
<tr>
<td>Heine</td>
<td>Pachal</td>
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</tr>
<tr>
<td>Total—26</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Conroy moved the adoption of Amendment No. 2.
Delegate Jenkins objected.

A record vote was asked for and ordered by the Conven-
tion.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Dennery</td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td>Dennis</td>
<td></td>
</tr>
<tr>
<td>Cannon</td>
<td>Drew</td>
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<tr>
<td>Casey</td>
<td>Elkins</td>
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<td>Champagne</td>
<td>Fontenot</td>
<td></td>
</tr>
<tr>
<td>Chatelain</td>
<td>Gauthier</td>
<td></td>
</tr>
<tr>
<td>Chehardy</td>
<td>Lanier</td>
<td></td>
</tr>
<tr>
<td>Conroy</td>
<td>Lennox</td>
<td></td>
</tr>
<tr>
<td>Corinno</td>
<td>McDaniel</td>
<td></td>
</tr>
<tr>
<td>Total—26</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
39th Days Proceedings—August 30, 1973

Delegates—
Mr. Chairman  
Alexander  
Anzalone  
Berry  
Arnette  
Asseff  
Avant  
Badeaux  
Bel  
Bergeron  
Bollinger  
Brown  
Casey  
Chattelain  
Conroy  
Corne  
Cowan  
De Blieux  
Total—33.

NAYS  
Goldman  
Gravel  
Grier  
Guarisco  
Hayes  
Haynes  
Hernandez  
Jack  
Jackson, A.  
Jackson, J.  
Jenkins  
Juneau  
Kelly  
Killbourne  
Killpatrick  
Landrum  
Landry, A.  
Landry, E. J.  
LeBlanc  
Lowe  
Martin  
Mauberret  
Miller  
Munson  
Nunz  
O'Neal  
Perez  
Planchar  
Pugh  
Reeves  
Riecke  
Robinson  
Roemer  
Roy  
Sandoz  
Segura  
Shannon  
Singletary  
Slay  
Soniat  
Stagg  
Stephenson  
Stinson  
Tapper  
Thistlethwaite  
Thompson  
Toca  
Ulo  
Vesich  
Weiss  
Wills  
Winchester  
Wisham  
Womack

ABSENT
Kean  
Lambert  
LeBreton  
Leithman  
Mire  
Newton  
Ousso  
Perkins  
Rachal  
Rayburn  
Silverberg  
Tate  
Wall  
Warren  
Wattigny

Total—23.

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid of the table.

Explanation of Vote

Delegate Duval sent up the following explanation of vote:

I have abstained from voting on Floor Amendment No. 1 and 2 proposed by Mr. Conroy, as I represent, as an attorney, clients who would have a substantial interest in the outcome of this proposition.

Delegate Drew sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 27 through 29, in their entirety
Delegate Duval moved the adoption of the amendment.
Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

Delegates—
Alario  
Anzalone  
Arnette  
Badeaux  
Bergeron  
Bollinger  
Brown  
Casey  
Chattelain  
Conroy  
Corne  
Cowan  
De Blieux  
Total—33.

YEAS  
Denner  
Dennis  
Drew  
Duval  
Elkins  
Ewinger  
Fowler  
Gauthier  
Jack  
Juneau  
Killbourne  
Landry, A.  
Lanier  
LeBlanc  
LeBlanc  
Total—33.

NAYS  
Schmitt  
Grier  
Guarisco  
Hayes  
Haynes  
Hernandez  
Jackson, A.  
Jackson, J.  
Jenkins  
Kelly  
Killpatrick  
Landrum  
Landry, E. J.  
LeBlanc  
Lowe  
Martin  
Mauberret  
Miller  
Munson  
Nunz  
O'Neal  
Perez  
Planchar  
Pugh  
Reeves  
Riecke  
Robinson  
Roemer  
Roy  
Sandoz  
Segura  
Shannon  
Singletary  
Slay  
Soniat  
Stagg  
Stephenson  
Stinson  
Tapper  
Thistlethwaite  
Thompson  
Toca  
Ulo  
Vesich  
Weiss  
Wills  
Winchester  
Wisham  
Womack

Total—23.

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Hernandez sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Hernandez to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 28, immediately after the words and punctuation “question, and” delete the word “determined” and insert in lieu thereof the following:

“the final determination as to necessity of the location shall be made after due consideration of the loss of aesthetic or historical values”

AMENDMENT No. 2—
On page 2, line 29, immediately before the word “without” delete the words “as such”

Delegate Hernandez moved the adoption of the amendment.
Delegate Lanier objected.
By a vote of 78 yeas and 28 nays the amendment was adopted.

Delegate Hernandez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 29 and 30, add the following:
"The provisions of this section shall not apply to appropriation of property for levee purposes."

Delegate Perez moved the adoption of the amendment.

Delegate Arnette objected.

By a vote of 86 yeas and 20 nays the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lanier sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Chatelain, Lanier and Anzalone to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 25, after the word and punctuation “enterprises,” add the following:
except that municipalities may expropriate, with just compensation, utilities within their jurisdiction.

Delegate Lanier moved the adoption of the amendment.

Delegate O'Neill objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deshotels</td>
<td>Gravel</td>
</tr>
<tr>
<td>Drew</td>
<td>Reeves</td>
</tr>
<tr>
<td>Elkins</td>
<td>Guarisco</td>
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<tr>
<td>Fayard</td>
<td>Roemer</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Haynes</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Segura</td>
</tr>
<tr>
<td>Grier</td>
<td>Singletery</td>
</tr>
<tr>
<td>Hayes</td>
<td>Bel</td>
</tr>
<tr>
<td>Heine</td>
<td>Bergeron</td>
</tr>
<tr>
<td>Hernandez</td>
<td>Berry</td>
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<tr>
<td>Jack</td>
<td>Berry</td>
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<tr>
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<td>Berrien</td>
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<tr>
<td>Juneau</td>
<td>Brown</td>
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<tr>
<td>Kelly</td>
<td>Cannon</td>
</tr>
<tr>
<td>Kilpatrick</td>
<td>Carmouche</td>
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<tr>
<td>Landrum</td>
<td>Dunlap</td>
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<td>Landry, A.</td>
<td>Flory</td>
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<tr>
<td>Lanier</td>
<td>Fowler</td>
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<td>McDaniel</td>
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<td>Glenn</td>
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<td>Smith</td>
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<td>Stovall</td>
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<td>Sutherland</td>
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<td>Thistlewaite</td>
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<td>Tobias</td>
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ABSENT

<table>
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<td>Lambert</td>
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<td>Munson</td>
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<td>Newton</td>
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<tr>
<td>Oursu</td>
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<tr>
<td>Perkins</td>
</tr>
<tr>
<td>Rachal</td>
</tr>
<tr>
<td>Rayburn</td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Chatelain moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Casey to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 19, immediately after the word “public” and before the word “purpose” delete the words “and necessary”.

AMENDMENT No. 2—
On page 2, line 26, at the beginning of the line, immediately before the word “shall” delete the words “and necessary”.

Delegate Casey moved the adoption of the amendments.

Delegate Derbes objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennis</td>
<td>Gravel</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Reeves</td>
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<tr>
<td>Drew</td>
<td>Roemer</td>
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<td>Fayard</td>
<td>Haynes</td>
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<td>Heine</td>
<td>Segura</td>
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<td>Sandoz</td>
<td>Singletery</td>
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<td>Schmitt</td>
<td>Slay</td>
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<td>Shannon</td>
<td>Soniat</td>
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<tr>
<td>Smith</td>
<td>Stinson</td>
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<td>Stovall</td>
<td>Thompson</td>
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<td>Sutherland</td>
<td>Toomy</td>
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<tr>
<td>Thistlewaite</td>
<td>Vick</td>
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<td>Vesich</td>
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<td>Toca</td>
<td>Womack</td>
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<td>Toomy</td>
<td>Zervigon</td>
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<td>Ullo</td>
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<td>Voca</td>
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<td>Velazquez</td>
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<td>Vesich</td>
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<td>Warren</td>
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<tr>
<td>Zervigon</td>
<td></td>
</tr>
</tbody>
</table>
39th Days Proceedings—August 30, 1973

NAYS

Delegates—
Abraham
Avant
Badeaux
Berry
Bergeron
Bollinger
Bien
Brown
Burns
Burton
Conino
Connoly
DeBlieux
Derbes
Dunlap
Elkins
Flory
Fontenot
Fowler
Fulce
Gauthier
Ginn

Total—66.

ABSENT

Delegates—
Mr. Chairman
Aecker
Blair
Cannon
Duval
Edwards
Giarrusso
Hardee

Total—23.

And the amendments were rejected.

Delegate O'Neill moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Perez to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 19 immediately after the words “public and” insert the following:
“in the case of a public utility, a”

AMENDMENT No. 2—
On page 2, line 27, at the beginning of the line delete the word “The” and insert in lieu thereof the following:
“With regard to a taking or damaging by a public utility, the”

Delegate Perez moved the adoption of the amendment.

Delegate Gravel objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Avant
Badeaux
Berry
Bergeron
Bollinger
Bien
Brown
Burns
Burston
Conino
Connoly
DeBlieux
Derbes
Dunlap
Elkins
Flory
Fontenot
Fowler
Fulce
Gauthier
Ginn

Total—62.

NAYS

Delegates—
Mr. Chairman
Aecker
Blair
Cannon
Duval
Edwards
Giarrusso
Hardee

Total—23.

And the amendments were rejected.

Delegate Jenkins moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Roy to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, line 14, delete Floor Amendment No. 1 proposed by Delegate Dennery and adopted by the Convention on August 30, 1973.

AMENDMENT No. 2—
On page 2, line 16, delete the word “the”

AMENDMENT No. 3—
On page 2, line 17, immediately after the partial word “son-able” delete the words “exercise of the police power” and insert in lieu thereof the words “statutory restrictions”

On motion of Delegate Roy the amendment was withdrawn.

Delegate Leigh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Leigh, Womack, Casey, Lanier, Silverberg and Heine to Committee Proposal No. 25 by Delegate A. Jackson, et al.
Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 14 through 29, both inclusive in their entirety and insert in lieu thereof the following:

"Section 4. Except as otherwise provided in this constitution, private property shall not be taken or damaged except for public purposes and after just and adequate compensation is paid to the owner or into court for his benefit. The legislature shall by statute provide the procedure for such taking, which shall assure that the owner shall be compensated to the full extent of the loss. Personal effects, other than contraband, shall never be taken."

Delegate Leigh moved the adoption of the amendment. Delegate Pugh objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<th>Delegates</th>
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<td>Drew</td>
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<td>Wisham</td>
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</table>

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Womack sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Womack to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 21, after the word "loss" and before the word "and" insert a period "." and delete the remainder of the line, and on line 22 delete the following: "right to a trial by jury to determine such compensation."

Delegate Womack moved the adoption of the amendment. Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<th>Delegates</th>
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**ABSENT**

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And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 25, Section 4, was read as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman

Alario

Arnette

Avant

Bel

Berry

Brien

Brown

Burson

Camouche

Chatelain

Conino

Conroy

Coxen

D’Gerolamo

De Bleux

Derbes

Deshotels

Dunlap

Fleisch

Gauthier

Gian

Total—68.

Delegates—

Goldman

Gravel

Grier

Guarisco

Hayes

Haynes

Hernandez

Jackson

Jackson, A.

Jackson, J.

Jenkins

Kelly

Kilpatrick

Landry, E. J.

Martin

Mire

Nunez

O’Neill

Ousso

Perez

Planchard

Pugh

Reeves

Riecke

Roemer

Roy

Schmitt

Segura

Shannon

Singletary

Slay

Soniat

Stephenson

Stinson

Stovall

Tupper

Toca

Ullo

Vesich

Vick

Warren

Weiss

Willis

Winchester

Wisham

**NAYS**

Delegates—

Abraham

Aznalonne

Axel

Badeaux

Bergeron

Bollinger

Burns

Casey

Champagne

Cor

Dennery

Dennis

Drew

Duval

Elkins

Total—45.

Delegates—

Fayard

Fontenot

Powier

Heine

Juneau

Kean

Kibourne

Lambert

Landrum

Landry, A.

LeBlanc

LeBlanc

Lennox

Lowe

McDaniel

Maubeurret

Miller

Robinson

Sandoz

Smith

Stagg

Sutherland

Thistlethwaite

Thompson

Toblas

Toomey

Velasquez

Womack

Zervigon

**ABSENT**

Delegates—

Aerker

Alexander

Blais

Cannon

Cheharry

Edwards

Garrusso

Hardee

LeBreton

Leithman

Munson

Newton

Perkins

Rachal

Rayburn

Silverberg

Tate

Wall

Wattigny

**Motion**

On motion of Delegate Abraham, the Convention altered the Order of Business to take up Reports of Committees at this time.

**Reports of Committees**

The following reports of committees were received and read:

Delegate LeBreton, chairman, on behalf of the Committee on Legislative Liaison and Transitional Measures, submitted the following report:

State of Louisiana

Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Legislative Liaison and Transitional Measures to submit the following report:

**COMMITTEE RESOLUTION No. 11—**

Introduced by Delegate LeBreton, Chairman, on behalf of the Committee on Legislative Liaison and Transitional Measures, and Delegate Henry, Chairman, on behalf of the Coordinating Committee, and Delegates Aerker, Blair, Casey, Dennis, D’Gerolamo, Drew, Fayard, Hardee, A. Jackson, J. Jackson, Lambert, Lanier, LeBlanc, Lennox, Miller, Munson, Perez, Rayburn, Smith, Stagg, Thompson, Vick, Womack and Zervigon:

A RESOLUTION

To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921.

Reported favorably.

Respectfully submitted,

EDWARD LeBreton, Chairman.

**Motion**

On motion of Delegate Abraham, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

**Introduction of Proposals**

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

**COMMITTEE PROPOSAL No. 27—**

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government and Delegates Burson, Cannon, Chatelain, Conino, D’Gerolamo, Fowler, Garrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL

Providing with respect to the donation, loan, or pledge of public funds, credit or property.

Read.

Lies over under the rules.

**COMMITTEE PROPOSAL No. 28—**

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D’Gerolamo, Fowler, Garrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL

Providing for the office of tax assessor and the Board of Assessors in Orleans Parish.

Read.

Lies over under the rules.
COMMITTEE PROPOSAL No. 29—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Uutto, and Zervigon:
A PROPOSAL
Providing for a Revenue Sharing Fund.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 32—
By Delegate Drew:
A PROPOSAL
To provide with respect to the court of appeal circuits and districts.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 33—
Introduced by Delegate Dennis:
A PROPOSAL
Providing for the financing of the judicial system.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 34—
Introduced by Delegate Dennis:
A PROPOSAL
Providing for the financing of the state judicial system.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 35—
Introduced by Delegate Miller:
A PROPOSAL
Providing for supreme court districts.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 36—
Introduced by Delegate Gravel:
A PROPOSAL
To provide with respect to retirement systems and plans for public officials and employees and judges.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 37—
Introduced by Delegates Bel, Bergeron, Casey, Lennox, Maubertet, Tapper, Vesich, Vick, Alexander, Landrum, J. Jackson, Warren, Reicke:
A PROPOSAL
Relative to Orleans Parish courts and officials.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 38—
Introduced by Delegate Casey:
A PROPOSAL
To provide for the prohibition of local and special laws where general laws can be made applicable.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 39—
Introduced by Delegate Casey:
A PROPOSAL
To provide for a date for taking office of members of the legislature at the beginning of each term, or to fill the remainder of an unexpired term.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 40—
Introduced by Delegates Bel and Vesich:
A PROPOSAL
To provide with respect to the terms of district court judges.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 41—
Introduced by Delegates Bel and Vesich:
A PROPOSAL
To provide with respect to the terms of appellate judges.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 42—
Introduced by Delegates Dennery and Stovall:
A PROPOSAL
Providing for the lieutenant governor as ombudsman.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 43—
Introduced by Delegates J. Jackson, A. Jackson, Warren, Ray, Gravel, Stovall, Pugh, and Gauthier:
A PROPOSAL
Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.
Read.
Lies over under the rules.

Motion
Delegate Miller
I move for the suspension of Rule 42 to permit the introduction of Committee and Delegate Proposals after the deadline set forth in Rule 42 through Wednesday, September 5, 1973.

Which motion was agreed to.

Leave of Absence
Delegate Tate—2 days.
Delegate Newton—2 days.
Delegate Rayburn—½ day.
Delegate Blair—½ day.
Delegate Segura—½ day.
Delegate Hardee—3 days.

Adjournment
Delegate Pugh moved that the Convention do now adjourn until Friday, August 31, 1973, at 9:00 o'clock a.m.
Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, August 31, 1973 at 9:00 o'clock a.m.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Friday, August 31, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 a.m., by Hon. Vice-Chairman, T. A. Casey, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

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<tr>
<th>Delegate</th>
<th>Present</th>
<th>Absent</th>
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<td>Gauthier</td>
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ABSENT

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<td>Giarrusso</td>
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<td>Mr. Chairman</td>
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<td>Total—17.</td>
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The Vice-Chairman announced that there were 115 members present and a quorum.

Prayer

Prayer was offered by Delegate Alario.

Pledge of Allegiance

Delegate Conino led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Lowe, the reading of the Journal was dispensed with.

On motion of Delegate Lowe, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of committees were received and read:

Delegate Robert Aertker, chairman, on behalf of the Committee on Education and Welfare, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Education and Welfare to submit the following report:

DELEGATE PROPOSAL No. 8—

Introduced by Delegate Leithman:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Reported favorably.

DELEGATE PROPOSAL No. 9—

Introduced by Delegate Leithman:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Reported unfavorably.

DELEGATE PROPOSAL No. 10—

Introduced by Delegate Juneau:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Reported unfavorably.

COMMITTEE PROPOSAL No. 7—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Serfun, Silverberg, Sutherland, Thistiletwaite, Toca and Wisham:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Reported with amendments.

Respectfully submitted,

ROBERT J. AERTKER, Chairman.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

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DELEGATE PROPOSAL No. 44—
Introduced by Delegate Vick:

A PROPOSAL

Making provision for the powers, duties, and qualifications for the state attorney general.

Read.

Lies over under the rules.

Chairman Henry in the Chair

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 27—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL

Providing with respect to the donation, loan, or pledge of public funds, credit or property.

Read.

Under the rules the above Proposal was referred to the Committee on Local and Parochial Government.

COMMITTEE PROPOSAL No. 28—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL

Providing for the office of tax assessor and the Board of Assessors in Orleans Parish.

Read.

Under the rules the above Proposal was referred to the Committee on Local and Parochial Government.

COMMITTEE PROPOSAL No. 29—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL

Providing for a Revenue Sharing Fund.

Read.

Under the rules the above Proposal was referred to the Committee on Local and Parochial Government.

DELEGATE PROPOSAL No. 32—
By Delegate Drew:

A PROPOSAL

To provide with respect to the court of appeal circuits and districts.

Read.

Under the rules the above Proposal was referred to the Committee on Judiciary.

DELEGATE PROPOSAL No. 33—
Introduced by Delegate Dennis:

A PROPOSAL

Providing for the financing of the judicial system.

Read.

Under the rules the above Proposal was referred to the Committee on Revenue, Finance and Taxation.

DELEGATE PROPOSAL No. 34—
Introduced by Delegate Dennis:

A PROPOSAL

Providing for the financing of the state judicial system.

Read.

Under the rules the above Proposal was referred to the Committee on Revenue, Finance and Taxation.

DELEGATE PROPOSAL No. 35—
Introduced by Delegate Miles:

A PROPOSAL

Providing for supreme court districts.

Read.

Under the rules the above Proposal was referred to the Committee on Judiciary.

DELEGATE PROPOSAL No. 36—
Introduced by Delegate Gravel:

A PROPOSAL

To provide with respect to retirement systems and plans for public officials and employees and judges.

Read.

The chair ruled that the Proposal should be referred to the Committee on Education and Welfare under the rules.

Delegate Dennis objected and moved that the proposal should otherwise be referred to the Committee on Judiciary.

Delegate Gravel objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Gravel:

Abraham

Alario

Arnello

Aseff

Badeaux

Bel

Bergeron

Burns

Burson

Casey

Champagne

Chatelain

Conino

Conroy

Corne

Cowan

D'Gerolamo

Dennery

Dennis

Derbes

Drew

Elkins

Fontenot

Gauthier

Total—71.

Goldman

Grier

Hayes

Heine

Jack

Juneau

Kean

Kelly

Kilbourne

Landry, A.

Landry, E. J.

Leigh

Leithman

Lenna

Love

McDaniel

Martin

Mauberret

Miller

Nunez

Perez

Perkins

Planchard

Riecke

Robinson

Roemer

Roy

Sandoz

Shannon

Smith

Sonnat

Stagg

Stephenson

Sitzer

Suther\n
Thompson

Tobias

Toca

Toomy

Ulo

Velazquez

Vick

Warren

Weiss

Perez

Willis

Winchester

NAYS

Powler

Fucio

Gravel

Guarisco

Haynes

Hernandez

Jackson, A.

Jackson, J.

Jenkins

Landrum

O'Neill

Schmitt

Segura

Singletary

Slay

Wisham

Womack

Zervigon

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Delegates—

Mr. Chairman
Anzalone
Berry
Bollinger
Cannon
Chehardy
Deshotels
Duval
Edwards
Fayard
Garrusso

Ginn
Hardee
Klipstick
Lambert
LeBlanc
LeBreton
Mire
Munson
Newton
Ours
Pugh

Rachal
Rayburn
Reeves
Silverberg
Stoval
Tapper
Tate
Thistlethwaite
Vesich
Wall
Wattigny

Total—33.

And the proposal was referred to the Committee on Judiciary.

Delegate Dennis moved to reconsider the vote by which the proposal was referred to the Committee on Judiciary, and on his own motion, the motion to reconsider was laid on the table.

DELEGATE PROPOSAL No. 37—

Introduced by Delegates Bel, Bergeron, Casey, Lennox, Mauberret, Tapper, Vesich, Viek, Alexander, Landrum, J. Jackson, Warren, Riecke:

A PROPOSAL

Relative to Orleans Parish courts and officials.

Read.

Under the rules the above Proposal was referred to the Committee on Judiciary.

DELEGATE PROPOSAL No. 38—

Introduced by Delegate Casey:

A PROPOSAL

To provide for the prohibition of local and special laws where general laws can be made applicable.

Read.

Under the rules the above Proposal was referred to the Committee on Legislative Powers and Functions.

DELEGATE PROPOSAL No. 39—

Introduced by Delegate Casey:

A PROPOSAL

To provide for a date for taking office of members of the legislature at the beginning of each term, or to fill the remainder of an unexpired term.

Read.

Under the rules the above Proposal was referred to the Committee on Legislative Powers and Functions.

DELEGATE PROPOSAL No. 40—

Introduced by Delegates Bel and Vesich:

A PROPOSAL

To provide with respect to the terms of district court judges.

Read.

Under the rules the above Proposal was referred to the Committee on Judiciary.

DELEGATE PROPOSAL No. 41—

Introduced by Delegates Bel and Vesich:

A PROPOSAL

To provide with respect to the terms of appellate judges.

Read.

Under the rules the above Proposal was referred to the Committee on Judiciary.

DELEGATE PROPOSAL No. 42—

Introduced by Delegates Denney and Stovall:

A PROPOSAL

Providing for the lieutenant governor as ombudsman.

Read.

Under the rules the above Proposal was referred to the Committee on Executive Department.

DELEGATE PROPOSAL No. 42—

Introduced by Delegates J. Jackson, A. Jackson, Warren, Ray, Gravel, Stovall, Pugh, and Gauthier:

A PROPOSAL

Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

Read.

Under the rules the above Proposal was referred to the Committee on Judiciary.

Reports of Committees Lying Over

Delegate and Committee

Resolutions on Second Reading
Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

COMMITTEE RESOLUTION No. 11—

Introduced by Delegates LeBreton, Chairman, on behalf of the Committee on Legislative Liaison and Transitional Measures, and Delegate Henry, chairman, on behalf of the Coordinating Committee, and Delegates Aetker, Blair, Casey, Dennis, D’Gerolamo, Drew, Fayard, Hardee, A. Jackson, J. Jackson, Lambart, Lanier, LeBrein, Lennox, Miller, Munson, Perez, Rayburn, Smith, Stagg Thompson, Viek, Woman, and Zervigon:

A RESOLUTION

To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921.

Read.

Reported favorably by the Committee on Legislative Liaison and Transitional matters.

On motion of Delegate Leithman, and under a suspension of the rules, the Resolution was ordered engrossed and passed to its third reading.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—

Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Viek, Wall and Weiss):

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 25 when it adjourned on Thursday, August 30, 1973, which was taken up and acted upon as follows:

Section 5. Right to Privacy

Section 5. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation particularly describing the place to be searched, the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise the illegality of that search or seizure in the appropriate court of law.

Read.
Delegate Deshotels sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Deshotels to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 5, after the word and punctuation “search,” delete the remainder of the line and delete lines 6 through 8 both inclusive in their entirety.

Delegate Burson moved the adoption of the amendment.

Delegate Schmitt objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Mr. Chairman
- Abraham
- Alario
- Burson
- Casey
- Champagne
- Coninco
- Conroy
- Corn
- D’Gorolamo
- Dennery
- Dennis
- Elkins
- Fontenot

Total—37.

**NAYS**

- Gauthier
- Ginn
- Heine
- Juneau
- Keaton
- Kean
- Kilbourne
- Lambert
- Landry, A.
- Lanier
- LeBlanc
- Leigh
- Lennox
- Lowe

Total—96.

**ABSENT**

- Anzalone
- Bellinger
- Bollinger
- Cannon
- Chehardy
- Deshotels
- Drew
- Duval
- Edwards
- Fayard
- Giarrusso

Total—23.

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 25, Section 5, was read.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Fowler
- McClellan
- Martin
- Maugerret
- LeBlanc
- Oslar
- Perez
- Perkins
- Single"erty
- Thistlethwaite
- Tocca
- Tompkins
- Ulo
- Velasquez
- Vicker
- Warren
- Weiss
- Willard
- Winchell
- Winfield
- Womack
- Zervigon

Total—96.

**NAYS**

- Lennox
- McDaniel
- Martin
- Nez
- Oslar
- O'Neil

Total—13.

**ABSENT**

- Anzalone
- Bellinger
- Bollinger
- Cannon
- Chehardy
- Deshotels
- Drew
- Duval
- Edwards
- Fayard
- Giarrusso

Total—23.

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 6. Freedom from Intrusion**

Section 6. No person shall be quartered in any house without the consent of the owner or lawful occupant.

Read.

Delegate Dunlap moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:
Delegates—
Gauthier
Glinn
Goldman
Gravel
Grier
Guarisco
Hayes
Heine
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilpatrick
Lambert
Landrum
Landry, E. J.
Lanier
LeBlanc
LeBlanc
Leechman
Lennon
Lowe
McDaniel
Martin
Mauberret
Miller
Mire
Munson
Newton
Planchard
Reeves
Riecke
Robinson
Roemer
Roy
Sandor
Segura
Shannon
Singleterry
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Stovall
Sutherland
Tapper
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Uillo
Velazquez
Vick
Warren
Weiss
Wills
Winchester
Wiseman
Womack
Zervigon

Total—107.

NAYS

Delegates—
Ourso
Total—1.

ABSENT

Delegates—
Fayard
Glarryuso
Hardee
Kidbourne
LeBreton
Munson
Newton
Pugh
Rachal
Rayburn
Silverberg
Tate
Vesch
Wall
Wattigney

Total—24.

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 7. Freedom from Discrimination

Section 7. All persons shall be free from discrimination on the basis of race, color, creed, national ancestry, and sex in access to public accommodations or in the sale or rental of property by persons or agents who derive a substantial income from such business activity. Nothing herein shall be construed to impair freedom of association.

Read.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, line 14, after the word “ancestry,” delete the word “and” and insert in lieu thereof the word “or”.

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 14 after the word “color,” delete the word “creed” and insert in lieu thereof the word “religion”.

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burns sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Burns to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 15, immediately after the word “accommodations” insert a period “;” and delete the remainder of the line and delete line 16 in its entirety.

**AMENDMENT No. 2—**

On page 3, line 17, immediately before the word “Nothing” delete the following: “come from such business activity.”

Delegate Burns moved the adoption of the amendments.

Delegate J. Jackson objected.

By a vote of 68 yeas and 37 nays the amendments were adopted.

Delegate Burns moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Haynes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Haynes, Stovall, E. J., Landry, Berry, and J. Jackson to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 15, after the word “public” delete the word “accommodations” and insert in lieu thereof the following: “accommodations, or in the hiring and promotion practices of any employer with fifteen or more employees.”

On motion of Delegate Haynes the amendment was withdrawn.

Delegate Haynes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Haynes, Stovall, E. J., Landry, Berry, J. Jackson and Connolly to Committee Proposal No. 25 by Delegate Jackson, et al.
AMENDMENT No. 1—
On page 3, line 15, after the word "public" delete the word "accommodations" and insert in lieu thereof the following: "accommodations, and from arbitrary, unreasonable, or capricious discrimination on any such basis in the hiring and promotion practices of any employer with fifteen or more employees."

Delegate Haynes moved the adoption of the amendment. Delegate Segura objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman—Derbes
Aertker—Nunez
Alexander—Perkins
Anzalone—Reeves
Arnette—Riecke
Assief—Roemer
Avant—Roy
Badeaux—Sandoz
Bergeron—Schmitt
Berry—Singletary
Blair—Smith
Brien—Soniat
Brown—Stovall
Burns—Sutherland
Burson—Thompson
Carmouche—Tobias
Casey—Ulo
Chamagne—Velazquez
Chateian—Warren
Conino—Weiss
Conroy—Willis
Corne—Winchester
D'Gerolamo—Wisham
De Blieux—Zervigon
Dennis—
Total—74.

NAYS

Delegates—
Abraham—Kilpatrick
Alario—Landrum
Alex—Landry, A.
Angelo—Landry, E. J.
Boudreaux—Lanier
Brown—Leithman
Brown—Lowe
Dennis—Miller

Total—24.

ABSENT

Delegates—
Bel—Robinson
Bollinger—Shannon
Cannon—Silverberg
Chehardy—Stephenson
Cowen—Tate
Dennery—Toca
Deshotels—Vest
Duval—Vick
Edwards—Wall
Fayard—Wattigny
Fontenot—Womack
Garrusco—
Total—34.

And the amendment was adopted.

Delegate Haynes moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegates—
Mr. Chairman  Fontenot  Rachal
Arnett  Giarrusso  Rayburn
Bollinger  Hardee  Shannon
Bren  Haynes  Silverberg
Chehardy  Lambert  Tate
Dehotels  Munson  Vesich
Duval  Newton  Wall
Edwards  Pugh  Wattigny
Total—27.

And the amendment was adopted.

Delegate Bergeron moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Hayes sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Hayes to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, line 17, after the word and punctuation "employees," added by Convention Floor Amendment No. 1 proposed by Mr. Haynes et al. and adopted by the Convention on August 31, 1973, insert the following:

"No penalty, other than that provided by laws, shall apply to any conviction for an offense."

Delegate Hayes moved the adoption of the amendment.

Delegate A. Jackson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Alarico  D'Geromano  Juneau
Arnette  DeBileux  Kilpatrick
Avant  Dennis  Landry, E. J.
Badeaux  Derbes  Lanier
Bergeron  Dreux  LeBieu
Berry  Dunlap  Leig
Blair  Flory  Leithman
Brown  Fulco  Lowe
Burson  Gauthier  Martin
Carmouche  Goldman  Maubert
Casey  Gravel  Mire
Champagne  Hernandez  Perkins
Conino  Jack  Planchard
Cucrey  Guerisco  Reeves
Corne  Jackson, A.  Roemer
Cowen  Jackson, J.  Roy
Total—38.

NAYS

Sanchez  Soniat  Tecon
Segura  Stephenson  Toomey
Shannon  Stovall  Vick
Singletary  Thistlethwaite  Weiss
Slay  Thompson  Willis
Smith  Tobias  Zervigon
Total—28.

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Stovall moved that the Convention take up other Orders of Business at this time.

Delegate Schmitt objected.

By a vote of 52 yeas and 47 nays the Convention took up other orders of Business.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 45—

Introduced by Delegate Gauthier:

A PROPOSAL

To provide a retirement system for judges.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 46—

Introduced by Delegate Tobias:

A PROPOSAL

Providing for the continuance of Orleans Parish courts and officials.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 47—

Introduced by Delegates Drew and Singletary:

A PROPOSAL

Providing with respect to the expropriation of private property for public purposes.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 48—

Introduced by Delegates Singletary and Drew:

A PROPOSAL

Making provisions for equal protection of the laws, prohibiting discrimination, slavery and involuntary servitude.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 49—

Introduced by Delegate Brenier:

A PROPOSAL

Providing with respect to consumer education and information councils.

Read.

Lies over under the rules.
DELEGATE PROPOSAL No. 50—
Introduced by Delegate Thistlethwaite:
A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.

Read.
Lies over under the rules.

COMMITTEE NOTICE
Delegate Stovall, chairman of the Committee on Rules, Credentials and Ethics, sent up the following notice:
The Committee on Rules, Credentials and Ethics will meet on Wednesday, September 5, 1973, after adjournment in Committee Room 1, State Capitol, and will consider the following agenda:

AGENDA
To consider resolutions referred to the committee.

Respectfully submitted,
JAMES STOVALL,
Chairman of the Committee on Rules, Credentials and Ethics

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:
The Committee on Education and Welfare will meet on Wednesday, September 5, 1973, immediately after adjournment in Committee Room 5 and will consider the following agenda:

AGENDA
Hearings on Civil Service.
Discussion of Committee and Delegate Proposals on Civil Service in the following order:
1. State Civil Service
2. City Civil Service

Respectfully submitted,
ROBERT AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Wednesday, August 5, 1973, 10:00 o'clock A.M. in Committee Room No. 9 and will consider the following agenda:

AGENDA
To continue consideration of the committee's proposals.

Respectfully submitted,
C. O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate A. Jackson the rules were suspended in order to allow a meeting of the Committee on Bill of Rights and Election without giving the required 24 hours notice.

Leave of Absence
Delegate Duval—1 day.
Delegate Deshotel—1 day.
Delegate Newton—1 day.
Delegate Bollinger—1 day.
Delegate Pugh—1 day.
Delegate Chehardy—1 day.
Delegate Bel—½ day.
Delegate Rayburn—1 day.
Delegate Fontenot—½ day.

Adjudgment
Delegate Shannon moved that the Convention do now adjourn until Wednesday, September 5, 1973 at 9:00 o'clock A.M.

As a substitute Delegate Chatelain moved that the Convention do now adjourn until Wednesday, September 12, 1973, at 9:30 o'clock A.M.

The vote recurred on the substitute motion.

By a vote of 16 yeas and 84 nays the Convention refused to adjourn until Wednesday, September 12, 1973, at 9:30 o'clock A.M.

As a further substitute Delegate Fulco moved that the Convention do now adjourn until Wednesday, September 5, 1973, at 1:00 o'clock P.M.

The vote recurred on the substitute of Delegate Fulco.

By a vote of 53 yeas and 50 nays the Convention adjourned until Wednesday, September 5, 1973 at 1:00 o'clock P.M.

And Chairman Henry declared the Convention adjourned to Wednesday, September 5, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 1:00 o'clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman—Fontenot
Abraham—Falco
Aerick—Gauthier
Alario—Ginn
Alexander—Goldman
Anzalone—Gravel
Arnette—Grier
Asseff—Guarisco
Avant—Hayes
Badeaux—Haynes
Bel—Heine
Bergeron—Hernandez
Berry—Jack
Blair—Jackson, A.
Bollinger—Jackson, J.
Brien—Jenkins
Brown—Juneau
Burns—Kean
Burson—Kelly
Cassy—Kilbourne
Champagne—Kilpatrick
Chataigneau—Landrum
Chehardy—Landry, A.
Conino—Landry, E. J.
Conroy—Lanier
Corne—Lefleau
Cowan—LeBrecht
D’Gerolamo—LeBlanc
De Blicoux—LeBlanc
Denenry—LeBlanc
Dennis—LeBlanc
Deshotel—LeBlanc
Drew—LeBlanc
Dunlap—LeBlanc
Duval—LeBlanc
Edwards—LeBlanc
Elkins—LeBlanc
Fayard—LeBlanc
Flory—LeBlanc

ABSENT

Delegates—
Cannon—Hardee
Carmouche—Lambert
Derbes—Newton
Fowler—Segura
Giarrusso—Shannon

The Chairman announced that there were 117 members present and a quorum.

DeLEGATE RESOLUTION No. 46—
Introduced by Delgate Asseff.

A RESOLUTION

To provide for the submission of an alternate provision relative to the appointment, merger, or consolidation of certain officials in the executive branch of government.

Read.
Lies over under the rules.

DeLEGATE RESOLUTION No. 47—
Introduced by Delgate Asseff.

A RESOLUTION

To provide for the submission of an alternate provision relative to the appointment, merger, or consolidation of certain officials in the executive branch of government.

Read.
Lies over under the rules.

INTRODUCTION OF PROPOSALS

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

COMMITTEE PROPOSAL No. 39—
Introduced by Delegate Aertiek, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, LeBlanc, Lennox, Rachel, Rice, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toia, and Wisham:

A PROPOSAL

To provide for the transition of membership on the boards of education.

Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 51—
Introduced by Delgate Asseff:

A PROPOSAL

Providing for appointment of officials; merger, and consolidation.

Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 52—
Introduced by Delgate Asseff:

A PROPOSAL

Providing for appointment of officials; merger, and consolidation.

Read.
Lies over under the rules.

Prayer

Prayer was offered by Delegate Abraham.

Pledge of Allegiance

Delegate Ourso led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Rayburn, the reading of the Journal was dispensed with.

On motion of Delegate Rayburn, the Journal of yesterday was adopted.

Morning Hour

Introduction of Resolutions
Delegate and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

Prayer
DELEGATE PROPOSAL No. 53—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
Read.

DELEGATE PROPOSAL No. 54—
Introduced by Delegates Juneau, Leithman and Corne:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
Read.

DELEGATE PROPOSAL No. 55—
Introduced by Delegate Fontenot:
A PROPOSAL
Making provisions for exemptions from taxation.
Read.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

DELEGATE PROPOSAL No. 41—
Introduced by Delegate Vick:
A PROPOSAL
Making provision for the powers, duties, and qualifications for the state attorney general.
Read.

DELEGATE PROPOSAL No. 45—
Introduced by Delegate Gauthier:
A PROPOSAL
To provide a retirement system for judges.
Read.

DELEGATE PROPOSAL No. 46—
Introduced by Delegate Tobias:
A PROPOSAL
Providing for the continuance of Orleans Parish courts and officials.
Read.

DELEGATE PROPOSAL No. 47—
Introduced by Delegates Drew and Singletary:
A PROPOSAL
Providing with respect to the expropriation of private property for public purposes.
Read.

Under the rules the above Proposal was referred to the Committee on Public Education and Welfare.

DELEGATE PROPOSAL No. 48—
Introduced by Delegates Singletary and Drew:
A PROPOSAL
Making provisions for equal protection of the laws, prohibiting discrimination, slavery and involuntary servitude.
Read.

DELEGATE PROPOSAL No. 49—
Introduced by Delegate Brien:
A PROPOSAL
Providing with respect to consumer education and information councils.
Read.

DELEGATE PROPOSAL No. 50—
Introduced by Delegate Thistlethwaite:
A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.
Read.

Under the rules the above Proposal was referred to the Committee on Executive Department.

Reports of Committees Lying Over

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals on second reading were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 7—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca, and Wisham:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
Read.

Reported with the following amendments by the Committee on Education and Welfare:

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Education and Welfare to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend Corrected Printed Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 4 through 7, both inclusive, in their entirety and insert in lieu thereof the following:
"Carmouche, Cowen, Flory, Hernandez, Landry, Segura, Silverberg, Thistlethwaite, Toca, and Wisham"

AMENDMENT No. 2—
On page 1, line 16, after the word "provide" and before the word "at" insert a comma "."

AMENDMENT No. 3—
On page 1, delete lines 28 through 32, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 3. State Superintendent of Public Elementary and Secondary Education

Section 3. (A) Term. There shall be a state superintendent of public education for elementary and secondary education, who shall be appointed by the State Board of Elementary and Secondary Education for a term not to exceed four years.

(B) Qualifications. The state superintendent shall possess the qualifications required of parish school superintendents
and such additional qualifications as may be fixed by law.
(C) Functions. The powers, duties, responsibilities, and salary of the State Superintendent of public education shall be prescribed by law.

**AMENDMENT No. 4—**

On page 2, delete lines 1 through 23, both inclusive, in their entirety

**AMENDMENT No. 5—**

On page 2, delete lines 24 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. State Board of Elementary and Secondary Education.

Section 4. (A) Creation; Function. There is created a body corporate, known as the State Board of Elementary and Secondary Education. The board shall supervise, control, and have budgetary responsibility for all funds appropriated or allocated by the state for all public elementary and secondary schools and special schools under its jurisdiction, as provided by law. The board shall have such other specific powers, duties, and responsibilities as provided by law, but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees.

(B) Membership; Terms. The board shall consist of three members who shall be appointed by the governor, with the consent of the Senate from the state at large, and eight members who shall be elected from single-member districts to be determined by the legislature. All members shall serve overlapping terms of six years, following the initial terms which shall be determined by the governor or the legislature, as the case may be, in a manner as to effectuate this purpose.

(C) Vacancies. Vacancies occurring for any cause prior to the expiration of the term shall be filled by appointment by the governor for the remainder of the unexpired term. Members shall serve without pay except for such per diem and expenses as shall be fixed by the legislature."

**AMENDMENT No. 6—**

On page 3, delete lines 1 through 8, both inclusive, and in their entirety

**AMENDMENT No. 7—**

On page 3, line 15, after the word "board" and before the word "schools" delete the words "may approve private" and insert in lieu thereof the following:

"shall approve private elementary, secondary, and proprietary"

**AMENDMENT No. 8—**

On page 8, at the end of line 31, delete the word "Schools" and insert in lieu thereof the word "Education"

**AMENDMENT No. 9—**

On page 9, at the end of line 1, delete the word "support" and insert in lieu thereof the word "education"

**AMENDMENT No. 10—**

On page 9, at the beginning of line 2, immediately after the word "of" delete the remainder of the line and insert in lieu thereof the following:

"school children of this state at the elementary and secondary levels"

**AMENDMENT No. 11—**

On page 9, line 16, after the word "Secondary" delete the word and period "Education." and insert in lieu thereof the following:

"Education to the children of this state at the elementary and secondary levels."

**AMENDMENT No. 12—**

On page 9, line 24, after the word "State" and before the word "Fund" delete the words "Public School" and insert in lieu thereof the following:

"Elementary and Secondary Education"

**AMENDMENT No. 13—**

On page 9, at the end of line 28, immediately after the word "State" delete the words "Public School" and insert in lieu thereof the following:

"Elementary and Secondary Education"

**AMENDMENT No. 14—**

On page 9, line 31, after the words "provides for the" delete the remainder of the line and insert in lieu thereof the following:

"education of the school children of Louisiana."

**AMENDMENT No. 15—**

On page 10, delete line 17 in its entirety and insert in lieu thereof the following:

"(3) Other Funds. Any funds for the education of the school children of Louisiana from"

On motion of Delegate Aertker the amendments were adopted.

On motion of Delegate Aertker the proposal was ordered engrossed and passed to its third reading.

**DELEGATE PROPOSAL No. 8—**

Introduced by Delegate Leithman: A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

Reported unfavorably by the Committee on Education and Welfare.

On motion of Delegate Leithman the proposal was withdrawn.

**DELEGATE PROPOSAL No. 9—**

Introduced by Delegate Juneau: A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

Reported unfavorably by the Committee on Education and Welfare.

On motion of Delegate Juneau the proposal was withdrawn.

**DELEGATE PROPOSAL No. 10—**

Introduced by Delegate Juneau: A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

Reported unfavorably by the Committee on Education and Welfare.

On motion of Delegate Juneau the proposal was withdrawn.

Motion

On motion of Delegate Dennery, the Convention altered the Order of Business to take up Introduction of Proposals at this time.
Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

Read.

Section 7. Freedom from Discrimination

Section 7. All persons shall be free from discrimination on the basis of race, color, creed, national ancestry, and sex in access to public accommodations or in the sale or rental of property by persons or agents who derive a substantial income from such business activity. Nothing herein shall be construed to impair freedom of association.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 25, Section 7, when it adjourned on Friday, August 31, 1973, which was taken up and acted upon as follows:

Delegate A. Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate A. Jackson, on behalf of the Committee on Bill of Rights and Elections to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 12 through 18, both inclusive, in their entirety including Convention Floor Amendments thereto.

Delegate A. Jackson moved the adoption of the amendment.

Delegate Alexander objected.

By a vote of 101 yeas, and 9 nays the amendment was adopted.

Delegate A. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 8. Trial by Jury in Civil Cases

Section 8. In all civil cases, except summary, domestic, and adoption cases, the right to trial by jury shall not be abridged. No fact determined by a judge or jury shall be re-examined on appeal. Determination of facts by an administrative body shall be subject to review.

Read.

Delegate Duval sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Duval to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, line 20, after "Section 8.‖ delete the remainder of the line and delete line 21 in its entirety and at the beginning of line 22, delete the word and punctuation "abridged.‖

AMENDMENT No. 2—
On page 3, line 22, after the word and punctuation "abridged.‖ delete the remainder of the line and at the beginning of line 23, delete the words "examined on appeal.‖

AMENDMENT No. 3—
On page 3, line 23, after the word and punctuation "appeal.‖ delete the remainder of the line and delete line 24 in its entirety.

On motion of Delegate Tobias a division of the question was ordered.

Delegate Duval moved the adoption of amendment No. 1.

Delegate Guarisco objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aeriker
Alario
Anzalone
Arnette
Assiff
Avant
Badeaux
Bergeron
Berry
Blair
Bollinger
Brien
Burns
Burson
Casey
Champagne
Chatelan
Chehardy
Conroy
Corne
Cowen
D'Gerolamo
Dennis

Total—73.

Delegates—
Alexander
Bel
Brown
Conino
De Blieu
Demery
Dunlap
Flory
Fulco
Ginn

Deshotels
Drew
Duval
Edwards
Elkins
Fontenot
Gauthier
Heine
Hernandez
Jack
Juneau
Kean
Kelly
Kilbourne
Landry, A.
Landry, E. J.
Lanier
LeBleu
Leigh
Leithman
Lennon
Lowe
McDaniel
Martin

Mauberry
Miller
Monson
Nunez
Orso
Perez
Perkins
Planchard
Rayburn
Robinson
Sandor
Stinson
Stovall
Sutherland
Tate
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Wattigney
Willis
Winchester
Zervigon

NAYS

Delegates—
Goldman
Gravel
Grier
Guarisco
Hayes
Haynes
Jackson, A.
Jackson, J.
Jenkins
Landrum

Newton
O'Neill
Pugh
Rachal
Reeves
Ricecle
Roemer
Roy
Schmitt
Singletary
41st Days Proceedings—September 5, 1973

Smith
Soniat
Stagg
Stephenson
Total—41.

Delegates—
Cavanon
Carmouche
Derbes
Fayard
Fowler
Giarussso
Total—18.

And the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Duval moved the adoption of Amendment No. 2. Delegate Pugh objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Bergeron
Berry
Blair
Bollinger
Brein
Burns
Burson
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Cone
Cowen
D’Gerolamo
Denney
Dennis
Total—70.

NAYS

Delegates—
Alexander
Bel
Brown
De Blieux
Dunlap
Flory
Fulco
Ginn
Goldman
Gravel
Grier
Guarisco
Hayes
Total—37.

Delegates—
Mr. Chairman
Cannon

Giarussso
Mire
Segura
Ullo
Hardee
Segura
Shannon
Silverberg
Lamont
Silverberg
LeBreton
Slay
Total—19.

And the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Duval moved the adoption of Amendment No. 3. Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The role was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Bergeron
Berry
Blair
Bollinger
Burns
Burson
Casey
Champagne
Chatelain
Chehardy
Conroy
Corne
Cowen
D’Gerolamo
Denney
Dennis
Total—70.

NAYS

Delegates—
Alexander
Bel
Brown
Conino
Cone
Cowan
D’Gerolamo
Hayes
Total—43.

ABSENT

Delegates—
Mr. Chairman
Cannon
Carmouche
Derbes
Fayard
Fowler
Giarussso
Total—19.

And the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Motion

Delegate Tobias moved the previous question on the entire subject matter.

Delegate Burson objected.

By a vote of 63 yea's and 48 nay's the previous question on the entire subject matter was ordered.

Passage

Committee Proposal No. 25, Section 8, was read, as amended.

Delegate Guarisco moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

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<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Alexander</td>
<td>Gravel</td>
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<tr>
<td>Brien</td>
<td>Grier</td>
</tr>
<tr>
<td>Brown</td>
<td>Newton</td>
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<td>Chehardy</td>
<td>Roemer</td>
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<tr>
<td>Flory</td>
<td>Schmitt</td>
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<tr>
<td>Goldman</td>
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<tr>
<td>Total—17</td>
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</tr>
</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
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<tr>
<td>Abraham</td>
<td>Fulco</td>
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<td>Aertker</td>
<td>Gauthier</td>
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<td>Arnette</td>
<td>Hayes</td>
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<td>Assiff</td>
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<td>Avant</td>
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<td>Badeaux</td>
<td>Hernandez</td>
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<td>Bel</td>
<td>Jack</td>
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<td>Bergeron</td>
<td>Jackson, A.</td>
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<td>Berry</td>
<td>Jenkins</td>
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<td>Blair</td>
<td>Juneau</td>
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<tr>
<td>Bollinger</td>
<td>Kelly</td>
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<tr>
<td>Burns</td>
<td>Killbourne</td>
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<tr>
<td>Bursen</td>
<td>Landrum</td>
</tr>
<tr>
<td>Casey</td>
<td>Landry, A.</td>
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<td>Champagne</td>
<td>Landry, E. J.</td>
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<td>Chatelain</td>
<td>Lanier</td>
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<td>Conino</td>
<td>LeBleu</td>
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<td>Conroy</td>
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<tr>
<td>Corne</td>
<td>Leigh</td>
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<td>Cowen</td>
<td>Lehman</td>
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<td>D'Gerolamo</td>
<td>Lennox</td>
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<tr>
<td>DeBlieux</td>
<td>Lowe</td>
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<tr>
<td>Dennery</td>
<td>McDaniell</td>
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<tr>
<td>Dennis</td>
<td>Martin</td>
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<td>Deshotels</td>
<td>MauBerret</td>
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<tr>
<td>Drew</td>
<td>Miller</td>
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<tr>
<td>Dunlap</td>
<td>Munson</td>
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<tr>
<td>Duval</td>
<td>Nunez</td>
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ABSENT

<table>
<thead>
<tr>
<th>Delegates</th>
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<tr>
<td>Cannon</td>
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<td>Carmouche</td>
<td>Kilpatrick</td>
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<td>Derbes</td>
<td>Lambert</td>
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<td>Fayard</td>
<td>Mire</td>
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<tr>
<td>Fowler</td>
<td>Segura</td>
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<tr>
<td>Guarisco</td>
<td>Shannon</td>
</tr>
<tr>
<td>Total—17</td>
<td></td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section, failed to pass.

Delegate Duval moved to reconsider the vote by which the Section failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

Section 9. Freedom of Expression

Section 9. No law shall abridge the freedom of every person to speak, write, publish, photograph, illustrate, or broadcast on any subject or to gather, receive, or transmit knowledge or information, but each person shall be responsible for the abuse of that liberty; nor shall such activities ever be subject to censorship, licensure, registration, control, or special taxation.

Read.

Delegate Burson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 26 through 32, both inclusive, in their entirety and insert in lieu thereof the following: "Section 9. No law shall abridge the freedom of speech or press."

Motion

On motion of Delegate Bel, the Convention altered the Order of Business to take up Introduction of Proposals at this time.

Introduction of Proposals

The following named delegates and committees introduced the following entitled Delegate and Committee Proposals which were read by their titles and placed on the Calendar for their second reading.

DELEGATE PROPOSAL No. 60—

Introduced by Delegate Jenkins:

A PROPOSAL

Making provision to control future growth of state tax revenues.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 61—

Introduced by Delegates Bel and Vesich:

A PROPOSAL

To provide with respect to judicial districts.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 62—

Introduced by Delegate Burson:

A PROPOSAL

Making provisions for the grand jury.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 63—

Introduced by Delegate Burson:

A PROPOSAL

Making provisions for legislative limitation on executive powers.

Read.

Lies over under the rules.

DELEGATE PROPOSAL No. 64—

Introduced by Delegate Toca:

A PROPOSAL

Making provision for a board of commissioners of the Louisiana State Library.

Read.

Lies over under the rules.
DELEGATE PROPOSAL No. 65—
Introduced by Delegate Roy:  
A PROPOSAL
Making provisions regarding civil service employment.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 66—
Introduced by Delegate Robinson:  
A PROPOSAL
Making provisions to prohibit the appropriation of public funds for private or sectarian schools.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 67—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 68—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the Public Service Commission and necessary provisions with respect thereto in the Executive Branch of state government.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 69—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the registration of voters.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 70—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the right to property.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 71—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 72—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the deletion of the attorney general from the Judicial Branch of state government.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 73—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for open primary elections.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 74—
Introduced by Delegates Gravel and Berry:  
A PROPOSAL
Providing for freedom from discrimination.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 75—
Introduced by Delegate Burson:  
A PROPOSAL
Providing with respect to trial by jury in criminal cases.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 76—
Introduced by Delegate Burson:  
A PROPOSAL
For initiation of the prosecution of felonies.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 77—
Introduced by Delegate Robinson:  
A PROPOSAL
To provide for the financing of the office of sheriff.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 78—
Introduced by Delegate Robinson:  
A PROPOSAL
Making provisions to prohibit religious discrimination and to prohibit the direct or indirect appropriation of money from the public treasury for sectarian, private, charitable or benevolent purposes, except for designated state charities.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 79—
Introduced by Delegate Deshotels:  
A PROPOSAL
Providing for a right to privacy.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 80—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the registration of voters.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 81—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provision for open primary elections.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 82—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the right to property.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 83—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Read.
Lies over under the rules.

DELEGATE PROPOSAL No. 84—
Introduced by Delegate Abraham:  
A PROPOSAL
Making provisions for the Public Service Commission and
necessary provisions with respect thereto in the Executive Branch of state government.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 85—**
Introduced by Delegate Abraham:

A PROPOSAL

Making provisions for the inclusion of the attorney general in the Executive Branch of government.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 86—**
Introduced by Delegate Abraham:

A PROPOSAL

Making provisions for the deletion of the attorney general from the Judicial Branch of state government.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 87—**
Introduced by Delegate Segura:

A PROPOSAL

Providing for state and city civil service.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 88—**
Introduced by Delegate Lennox:

A PROPOSAL

To provide for the continuous operation of government.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 89—**
Introduced by Delegate Lennox:

A PROPOSAL

Prohibiting strikes by public employees.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 90—**
Introduced by Delegate Lennox:

A PROPOSAL

To prohibit monopolistic control over employment in any industry within the state.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 91—**
Introduced by Delegate Zervigon:

A PROPOSAL

Making provisions for property taxation.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 92—**
Introduced by Delegate Robinson:

A PROPOSAL

Making provisions for public elementary and secondary education and necessary provisions with respect thereto.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 93—**
Introduced by Delegate Burson:

A PROPOSAL

Providing with respect to grand jury proceedings.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 94—**
Introduced by Delegate Pugh:

A PROPOSAL

Prohibiting the purchase or subscription by the state or its political subdivisions of stock of any corporation or association or for any private enterprise and providing exceptions.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 95—**
Introduced by Delegate Bel:

A PROPOSAL

Making provisions for property taxation.

Read.

Lies over under the rules.

**DELEGATE PROPOSAL No. 96—**
Introduced by Delegates Vick, Abraham, Bel, Berry, Casey, Dennery, Goldman, Guarisco, Haynes, A. Jackson, J. Jackson, LeBreton, Lennox, Miller, Pugh, Rachle, Rickie, Soniat, Stovall, Sutherland, Velazquez, and Weiss:

A PROPOSAL

Providing for the powers and duties of the attorney general.

Read.

Lies over under the rules.

Motion

On motion of Delegate A. Jackson the rules were suspended in order to allow him to call a meeting of the Committee on Bills of Rights and Elections without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Alphonse Jackson, Jr., chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Wednesday, September 4, 1973, immediately after adjournment in Independence Hall and will consider the following agenda:

**AGENDA**

Consideration of Committee Proposal No. 25.

Respectfully submitted,

ALPHONSE JACKSON, JR.
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Leave of Absence**

Delegate Segura—1 day.
Delegate Shannon—1 day.
Delegate Lambert—1 day.
Delegate Fowler—4 days.
Delegate Ullo—1 day.
Delegate Carmouche—1 day.
Delegate Darby—1 day.

**Adjournment**

Delegate Abraham moved that the Convention do now adjourn until Thursday, September 6, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, September 6, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Blicieux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Edwards
Elkins
Fayard
Florey

Ourso
Perez
Perkins
Planchard
Rachal
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandor
Schmitt
Segura
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stimson
Slovail
Sutherland
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ullo
Velazquez
Vesich
Vick
Warren
Wattigny
Weiss
Wills
Winchester
Wisam
Zervigon

Absent—123.

Delegates—
Duval
Fowler
Garruso

Silverberg
Shannon
Wall
Womack

The Chairman announced that there were 123 members present and a quorum.

Prayer

Prayer was offered by Delegate Alexander.

Pledge of Allegiance

Delegate Burns led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Gravel, the reading of the Journal was dispensed with.

On motion of Delegate Gravel, the Journal of yesterday was adopted.

Morning Hour

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions on second reading to be referred to Committees were taken up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 46—
Introduced by delegate Assieff: A RESOLUTION
To provide for the submission of an alternate provision relative to the appointment, merger, or consolidation of certain officials in the executive branch of government.

Read.

Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

DELEGATE RESOLUTION No. 47—
Introduced by Delegate Assieff: A RESOLUTION
To provide for the submission of an alternate provision relative to the appointment, merger, or consolidation of certain officials in the executive branch of government.

Read.

Under the rules the above Resolution was referred to the Committee on Rules, Credentials and Ethics.

Proposals on Second Reading and Referral

The following entitled Committee and Delegate Proposals on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

COMMITTEE PROPOSAL No. 30—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Florie, Grie, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca, and Wisham: A PROPOSAL
To provide for the transition of membership on the boards of education.

Read.

Under the rules the above Proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 51—
Introduced by Delegate Assieff: A PROPOSAL
Providing for appointment of officials; merger, and consolidation.

Read.

Under the rules the above proposal was referred to the Committee on Executive Department.

DELEGATE PROPOSAL No. 52—
Introduced by Delegate Assieff: A PROPOSAL
Providing for appointment of officials; merger, and consolidation.

Read.
42nd Day’s Proceedings—September 6, 1973

Under the rules the above proposal was referred to the Committee on Executive Department.

DELEGATE PROPOSAL No. 53—
Introduced by Delegate Leithman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 54—
Introduced by Delegates Juneau and Leithman:
A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 55—
Introduced by Delegate Fontenot:
A PROPOSAL
Making provisions for exemptions from taxation.
Read.
Under the rules the above proposal was referred to the Committee on Revenue, Finance and Taxation.

DELEGATE PROPOSAL No. 56—
Introduced by Delegate Toomy:
A PROPOSAL
Providing with respect to local officials and employees.
Read.
Under the rules the above proposal was referred to the Committee on Local and Parochial Government.

DELEGATE PROPOSAL No. 57—
Introduced by Delegate Flory:
A PROPOSAL
To provide for the registration of corporate stockholders.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 58—
Introduced by Delegate Flory:
A PROPOSAL
Providing for municipal fire and police civil service.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 59—
Introduced by Delegate Haynes:
A PROPOSAL
Making provisions for freedom from discrimination.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 60—
Introduced by Delegate Jenkins:
A PROPOSAL
Making provision to control future growth of state tax revenues.
Read.
Under the rules the above proposal was referred to the Committee on Revenue, Finance and Taxation.

DELEGATE PROPOSAL No. 61—
Introduced by Delegates Bel and Vesich:
A PROPOSAL
To provide with respect to judicial districts.
Read.
Under the rules the above proposal was referred to the Committee on Judiciary.

DELEGATE PROPOSAL No. 62—
Introduced by Delegate Burson:
A PROPOSAL
Making provisions for the grand jury.
Read.
Under the rules the above proposal was referred to the Committee on Judiciary.

DELEGATE PROPOSAL No. 63—
Introduced by Delegate Burson:
A PROPOSAL
Making provisions for legislative limitation on executive power of commutation.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Department.

DELEGATE PROPOSAL No. 64—
Introduced by Delegate Tocas:
A PROPOSAL
Making provision for a board of commissioners of the Louisiana State Library.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Department.

DELEGATE PROPOSAL No. 65—
Introduced by Delegate Hay:
A PROPOSAL
Making provisions regarding civil service employment.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 66—
Introduced by Delegate Robinson:
A PROPOSAL
Making provisions to prohibit the appropriation of public funds for private or sectarian schools.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 67—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Department.

DELEGATE PROPOSAL No. 68—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the Public Service Commission and necessary provisions with respect thereto in the Executive Branch of state government.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Department.

DELEGATE PROPOSAL No. 69—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the registration of voters.
Read.
DELEGATE PROPOSAL No. 70—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the right to property.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 71—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Department.

DELEGATE PROPOSAL No. 72—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the inclusion of the attorney general from the Judicial Branch of state government.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Department.

DELEGATE PROPOSAL No. 73—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for open primary elections.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 74—
Introduced by Delegates Gravel and Berry:
A PROPOSAL
Providing for freedom from discrimination.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 75—
Introduced by Delegate Burson:
A PROPOSAL
Providing with respect to trial by jury in criminal cases.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 76—
Introduced by Delegate Burson:
A PROPOSAL
For initiation of the prosecution of felonies.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 77—
Introduced by Delegate Robinson:
A PROPOSAL
To provide for the financing of the office of sheriff.
Read.
Under the rules the above proposal was referred to the Committee on Revenue, Finance and Taxation.

DELEGATE PROPOSAL No. 78—
Introduced by Delegate Robinson:
A PROPOSAL
Making provisions to prohibit religious discrimination and to prohibit the direct or indirect appropriation of money from the public treasury for sectarian, private, charitable or benevolent purposes, except for designated state charities.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 79—
Introduced by Delegate Deshotels:
A PROPOSAL
Providing for a right to privacy.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 80—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the registration of voters.
Read.
On motion of Delegate Abraham the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 81—
Introduced by Delegate Abraham:
A PROPOSAL
Making provision for open primary elections.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 82—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the right to property.
Read.
On motion of Delegate Abraham the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 83—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Read.
On motion of Delegate Abraham the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 84—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the Public Service Commission and necessary provisions with respect thereto in the Executive Branch of state government.
Read.
On motion of Delegate Abraham the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 85—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Read.
On motion of Delegate Abraham the Proposal was withdrawn.
DELEGATE PROPOSAL No. 86—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the deletion of the attorney general from the Judicial Branch of state government.
Read.
On motion of Delegate Abraham the Proposal was withdrawn.

DELEGATE PROPOSAL No. 87—
Introduced by Delegate Segura:
A PROPOSAL
Providing for state and city civil service.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 88—
Introduced by Delegate Lennox:
A PROPOSAL
To provide for the continuous operation of government.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 89—
Introduced by Delegate Lennox:
A PROPOSAL
Prohibiting strikes by public employees.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 90—
Introduced by Delegate Lennox:
A PROPOSAL
To prohibit monopolistic control over employment in any industry within the state.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 91—
Introduced by Delegate Zervigon:
A PROPOSAL
Making provisions for property taxation.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 92—
Introduced by Delegate Robinson:
A PROPOSAL
Making provisions for public elementary and secondary education and necessary provisions with respect thereto.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 93—
Introduced by Delegate Burson:
A PROPOSAL
Providing with respect to grand jury proceedings.
Read.
Under the rules the above proposal was referred to the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 94—
Introduced by Delegate Pugh:
A PROPOSAL
Prohibiting the purchase or subscription by the state or its political subdivisions of stock of any corporation or association or for any private enterprise and providing exceptions.
Read.
Under the rules the above proposal was referred to the Committee on Education and Welfare.

DELEGATE PROPOSAL No. 95—
Introduced by Delegate Bell:
A PROPOSAL
Making provisions for property taxation.
Read.
Under the rules the above proposal was referred to the Committee on Revenue, Finance and Taxation.

DELEGATE PROPOSAL No. 96—
Introduced by Delegates Vick, Abraham, Bell, Berry, Casey, Dennery, Goldman, Guarisco, Haynes, A. Jackson, J. Jackson, LeBreton, Lennox, Miller, Pugh, Rachal, Riecke, Soniat, Stovall, Sutherland, Velazquez, and Weiss:
A PROPOSAL
Providing for the powers and duties of the attorney general.
Read.
Under the rules the above proposal was referred to the Committee on the Executive Department.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee
The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):
A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.
Read.

Section 9. Freedom of Expression
Section 9. No law shall abridge the freedom of every person to speak, write, publish, photograph, illustrate, or broadcast on any subject or to gather, receive, or transmit knowledge or information, but each person shall be responsible for the abuse of that liberty; nor shall such activities ever be subject to censorship, licensure, registration, control, or special taxation.
Read.

FLOOR AMENDMENT
Amendment proposed by Delegate Burson to Committee Proposal No. 25 by Delegate A. Jackson, et al.
Amend reprinted as engrossed Proposal as follows:
AMENDMENT No. 1—
On page 3, delete lines 26 through 32, both inclusive, in their entirety and insert in lieu thereof the following:
"Section 9. No law shall abridge the freedom of speech or press."
Read.

The chairman announced that the Convention had under consideration the above amendment proposed by Delegate Burson, to Committee Proposal No. 25, Section 9, when it
42nd Day’s Proceedings—September 6, 1973

adjourned on Wednesday, September 5, 1973 which was taken up and acted upon as follows:

Delegate Burson moved the adoption of the amendment.
Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Abraham
Alarie
Anzalone
Arnette
Assiff
Avant
Badeaux
Bergeron
Berry
Blair
Brien
Burns
Burson
Cambouche
Casey
Champagne
Conino
Conroy
Corne
D’Gerolamo
Dennis
Total—61.

Delegates—
Mr. Chairman
Aetker
Alexander
Bel
Bollinger
Brown
Chatelain
Cowan
De Blieux
Denner
derbes
Dunlap
Flory
Ginn
Goldman
Gravel
Grier
Guarisco
Total—53.

**NAYS**

Delegates—
Mr. Chairman
Aetker
Alexander
Bel
Bollinger
Brown
Chatelain
Cowan
De Blieux
Denner
derbes
Dunlap
Flory
Ginn
Goldman
Gravel
Grier
Guarisco
Total—53.

And the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 3, delete lines 26 through 32 both inclusive, in their entirety, and strike out Floor Amendment No. 1 proposed by Delegate Burson and adopted by the Convention on September 6, 1973, and insert in lieu thereof the following:

“Section 9. No law shall abridge the freedom of speech or press, but each person shall be responsible for the abuse of those freedoms.”

On motion of Delegate Gravel the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 3, delete lines 25 through 32, both inclusive, in their entirety, and delete Convention Floor Amendment No. 1 proposed by Mr. Gravel and adopted by the Convention on September 6, 1973, and insert in lieu thereof the following:

“Section 9. Liberty of Speech and Freedom of the Press

Section 9. No law shall ever be passed to curtail or restrain the liberty of speech or freedom of the press; any person may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty or freedom.”

Delegate Drew moved the adoption of the amendment.
Delegate A. Jackson objected.

By a vote of 69 yeas and 39 nays the amendment was adopted.

Delegate Drew moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate D’Gerolamo sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates D’Gerolamo, Toca, Ullo, Tomoy, Gauthier, Alario, Bergeron, Corino, Bollinger, Nunez, Gin, Gravel, Tapper, Burson and Flory to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 3, line 26, after the language added by Convention Floor Amendment No. 1 proposed by Delegate Drew and adopted by the Convention on September 6, 1973, insert the following:

“Any person whose character is assailed by reason of the exercise of any freedom herein granted shall be afforded an equal opportunity to reply, and the legislature shall enact laws to implement this provision and provide penalties for violations.”

**Motion**

Delegate A. Jackson moved the previous question on the amendment.
Delegate Nunez objected.

By a vote of 86 yeas and 13 nays the previous question was ordered on the amendment.

Delegate D’Gerolamo moved the adoption of the amendment.
Delegate Denner objected.

By a vote of 30 yeas and 77 nays the amendment was rejected.
Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 25 by Delegate A. Jackson, et al. Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 26, at the end of the language added by Convention Floor Amendment No. 1 proposed by Delegate Drew and adopted by the Convention on September 6, 1973; "Such activities shall never be subject to prior restraint, licensure, registration, or special taxation."

Delegate Jenkins moved the adoption of the amendment.

Delegate Jack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Goldman</td>
</tr>
<tr>
<td>Alario</td>
<td>Gravel</td>
</tr>
<tr>
<td>Alexander</td>
<td>Gier</td>
</tr>
<tr>
<td>Avant</td>
<td>Hayes</td>
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<tr>
<td>Berry</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Brien</td>
<td>Jackson, J.</td>
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<tr>
<td>Chehardy</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Conino</td>
<td>Kelly</td>
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<tr>
<td>Cowen</td>
<td>Lambert</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Denneny</td>
<td>Newton</td>
</tr>
<tr>
<td>Flory</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Gin</td>
<td>Rachel</td>
</tr>
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<td><strong>Total—41.</strong></td>
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**NAYS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
</tr>
<tr>
<td>Abraham</td>
<td>Pulco</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Gauthier</td>
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<td>Brown</td>
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<td>Conroy</td>
<td>LeBreton</td>
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<td>De BieJune</td>
<td>Leithman</td>
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<tr>
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<tr>
<td>Derbes</td>
<td>Lowe</td>
</tr>
<tr>
<td>Deshotels</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Draw</td>
<td>Miller</td>
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<tr>
<td>Dunlap</td>
<td>Munson</td>
</tr>
<tr>
<td>Elkins</td>
<td>Nunez</td>
</tr>
<tr>
<td><strong>Total—108.</strong></td>
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**ABSENT**

<table>
<thead>
<tr>
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<tr>
<td>Bollinger</td>
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</tr>
<tr>
<td>Cannon</td>
<td>Payard</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Fowler</td>
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<tr>
<td>Duval</td>
<td>Giarrusso</td>
</tr>
<tr>
<td><strong>Total—22.</strong></td>
<td></td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 10. Freedom of Religion**

Section 10. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof.

Read.
Passage

Delegate Weiss moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman—Fontenot, O’Neill
Abraham—Perez
Aertker—Perkins
Alario—Planchard
Alexander—Rayburn
Anzalone—Reeves
Arnette—Riecke
Avant—Robinson
Badeaux—Roemer
Bel—Roy
Bergeron—Schmitt
Berry—Singletary
Blair—Slay
Brien—Smith
Brown—Soniat
Burns—Stagg
Burston—Stephenson
Carmouche—Stinson
Casey—Stovall
Champagne—Sutherland
Chehardy—Tapper
Conroy—Thistletwaite
Corne—Thompson
D’Gerolamo—Tobin
De Blieux—Toca
Denner—Toomy
Dennis—Ullo
Derbes—Velazquez
Dep-Boudreaux—Vick
Deshotels—Warren
Dunlap—Wattingay
Edwards—Weiss
Elkins—Wills
Flory—Zervigon

Total—105.

NAYS

Delegates—

Guarisco—Segura
LeBlou—Shannon
LeBreton—Silverberg
Martin—Tate
Maubertet—Vescih
Miller—Wall
Munson—Winchester
Nunez—Womack

Total—27.

And the Chair declared that the above Section was passed.

Delegate Weiss moved to reconsider the vote by the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 11. Freedom of Assembly and Movement

Section 11. No law shall impair the right of every person to assemble peaceably, to petition government for a redress of grievances, to travel freely within the state, and to enter and leave the state. Nothing herein shall prohibit quarantines or restrict the authority of the state to supervise persons subject to parole or probation.

Read.

Delegate Arnette sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Arnette to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 6, immediately after the word “peaceably” and before the word “or” delete the comma “,” and insert in lieu thereof the word “or”

AMENDMENT No. 2—

On page 4, line 7, immediately after the word “grievances” change the comma “,” to a period “.” and delete the remainder of the line and delete lines 8 through 10, both inclusive, in their entirety.

Motion

Delegate Abraham suggested the absence of a quorum.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman—Fontenot, O’Neill
Abraham—Perez
Aertker—Perkins
Alario—Planchard
Avant—Rayburn
Arnette—Reeves
Bel—Robinson
Brent—Roy
Boulanger—Sandoz
Brown—Schmitt
Burns—Singletary
Burston—Slay
Carmouche—Smith
Casey—Soniat
Champagne—Stagg
Chehardy—Stephenson
Conroy—Stovall
Conrin—Sutherland
Corne—Tate
D’Gerolamo—Thistletwaite
De Blieux—Thompson
Denner—Tobin
Dennis—Toomy
Derbes—Ullo
Dep-Boudreaux—Velazquez
Deshotels—Vick
Drew—Warren
Dunlap—Wattingay
Edwards—Weiss
Elkins—Wills
Flory—Zervigon

Total—108.

NAYS

Delegates—

Guarisco—Riecke
LeBlou—Shannon
LeBreton—Silverberg
Martin—Stinson
Maubertet—Tapper
Miller—Wall
Munson—Wisham
Nunez—Womack

Total—24.

And the Chairman announced that there were 107 members present and a quorum.

Delegate Arnette moved the adoption of the amendment. Delegate Roy objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Edwards</td>
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<tr>
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<td>Elkins</td>
<td>Perez</td>
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<td>Anzalone</td>
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<td>Perkins</td>
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<td>Fulco</td>
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<td>Asseff</td>
<td>Gauthier</td>
<td>Robinson</td>
<td></td>
</tr>
<tr>
<td>Avant</td>
<td>Hardee</td>
<td>Sanchez</td>
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<td>Badeaux</td>
<td>Hernandez</td>
<td>Schmitt</td>
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<td>Bel</td>
<td>Jack</td>
<td>Slay</td>
<td></td>
</tr>
<tr>
<td>Bergeron</td>
<td>Juneau</td>
<td>Smith</td>
<td></td>
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<tr>
<td>Bollinger</td>
<td>Kelly</td>
<td>Stagg</td>
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<td>Brien</td>
<td>Kent</td>
<td>Sutherland</td>
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<tr>
<td>Burns</td>
<td>Kelly</td>
<td>Tapper</td>
<td></td>
</tr>
<tr>
<td>Burson</td>
<td>Kilbourne</td>
<td>Thistlethwaite</td>
<td></td>
</tr>
<tr>
<td>Carmouche</td>
<td>Landry, A.</td>
<td>Thompson</td>
<td></td>
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<tr>
<td>Casey</td>
<td>Lanier</td>
<td>Toca</td>
<td></td>
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<td>Champagne</td>
<td>Leavon</td>
<td>Toomy</td>
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<td>Chehardy</td>
<td>Lowe</td>
<td>Ullo</td>
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<td>Conino</td>
<td>McDaniel</td>
<td>Vesich</td>
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<td>Cowen</td>
<td>Martin</td>
<td>Wattigay</td>
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<td>D'Gerolamo</td>
<td>Miller</td>
<td>Weiss</td>
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<td>De Bleuex</td>
<td>Munson</td>
<td>Willis</td>
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<td>Deshotes</td>
<td>Nunez</td>
<td>Winchester</td>
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<tr>
<td>Drew</td>
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<td>Total—73.</td>
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NAYS

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<tbody>
<tr>
<td>Alexander</td>
<td>Hayes</td>
<td>Roemer</td>
<td></td>
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<tr>
<td>Berry</td>
<td>Haynes</td>
<td>Roy</td>
<td></td>
</tr>
<tr>
<td>Blair</td>
<td>Jackson, A.</td>
<td>Segura</td>
<td></td>
</tr>
<tr>
<td>Connolly</td>
<td>Jenkins</td>
<td>Soniat</td>
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<tr>
<td>Denner</td>
<td>Kilpatrick</td>
<td>Stephenson</td>
<td></td>
</tr>
<tr>
<td>Dennis</td>
<td>Landrum</td>
<td>Stinson</td>
<td></td>
</tr>
<tr>
<td>Dunlap</td>
<td>Landry, E. J.</td>
<td>Stovall</td>
<td></td>
</tr>
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<td>Flory</td>
<td>Mauberret</td>
<td>Stovall</td>
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<td>Ginn</td>
<td>Newton</td>
<td>Velazquez</td>
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<td>O'Neill</td>
<td>Viek</td>
<td></td>
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<tr>
<td>Gravel</td>
<td>Rachel</td>
<td>Warren</td>
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<td>Grier</td>
<td>Reeves</td>
<td>Zervigon</td>
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<td>Total—39.</td>
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ABSENT

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<tr>
<td>Mr. Chairman</td>
<td>Giarrusso</td>
<td>Riecke</td>
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<td>Aertker</td>
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<td>Wall</td>
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<td>Duval</td>
<td>LeBreton</td>
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<tr>
<td>Fowler</td>
<td>Pugh</td>
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<tr>
<td>Total—29.</td>
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</tr>
</tbody>
</table>

And the Amendments were adopted.

Delegate Arnette moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 25, Section 11, was read as amended.

Delegate Jenkins moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Alario</td>
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</tbody>
</table>

NAIS

<table>
<thead>
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<th>Delegates</th>
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</thead>
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<tr>
<td>Total—19.</td>
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</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Jenkins moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 12. Rights of the Accused

Section 12. When a person has been detained, he shall immediately be advised of his legal rights and the reason for his detention. In all criminal prosecutions, the accused shall be precisely informed of the nature and cause of the accusation against him. At all stages of the proceedings, every person shall be entitled to assistance of counsel of his choice, or appointed by the court in indigent cases if charged with an offense punishable by imprisonment.

Read.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 23 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, between lines 19 and 20, insert the following:

"No person shall be subjected to imprisonment or forfeiture of his rights or property without the right of judicial review based upon a complete record of all evidence upon which
such judgment is based. This right may be intelligently waived.”

Delegate Avant moved the adoption of the amendment. Delegate Stinson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>YEAS</th>
<th>NAYS</th>
<th>ABSENT</th>
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</thead>
<tbody>
<tr>
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<td>Jenkins</td>
<td>Stephenson</td>
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<td>Burson</td>
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<td>Perez</td>
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<td>Mr. Chairman</td>
<td>Mr. Chairman</td>
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<td>Fowler</td>
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<td>Total—19.</td>
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</tbody>
</table>

And the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 15, after the words “shall be” delete the word “precisely” and insert in lieu thereof the word “reasonably.”

Delegate Burson moved the adoption of the amendment. Delegate Roemer objected.

By a vote of 57 yeas and 52 nays the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 4, line 15, after the words “shall be” and before the words “of the nature” delete the words “precisely informed” and insert in lieu thereof the following:

“informed, with particularity,”

AMENDMENT No. 2—
Strike out Amendment No. 1 proposed by Mr. Burson and adopted by the Convention on September 6, 1973.

Delegate Gravel moved the adoption of the amendment. Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following results:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>YEAS</th>
<th>NAYS</th>
<th>ABSENT</th>
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<tbody>
<tr>
<td>Delegates</td>
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<td>Delegates</td>
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<td>Mr. Chairman</td>
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<td>Total—19.</td>
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</tbody>
</table>

And the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:
42nd Day’s Proceedings—September 6, 1973

Sandoz
Smith
Stagg
Stovall
Sutherland
Total—62.

DELEGATES—

Aertker
Alexander
Cowen
Duval
Fowler
Giarrusso
Total—17.

ABSENT

Guanisco
LeBlue
Munson
Pugh
Rachal

Shannon
Silverberg
Tapper
Wall
Womack

And the amendment was rejected.

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

MOTION

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other orders of business at this time.

COMMITTEE NOTICE

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Wednesday, September 12, 1973, at 5:30 o’clock P.M. in Committee Room No. 5 and will consider the following agenda:

AGENDA

Hearings—Civil Service.
Consideration of Committee and Delegate Proposals on Civil Service.

Respectfully submitted,

ROBERT AERTKER, Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Friday, September 7, 1973, after adjournment in Committee Room No. 5 and will consider the following agenda:

AGENDA

The Committee’s Proposals

Respectfully submitted,

C. O. PEREZ, Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

MOTION

On motion of Delegate Casey the rules were suspended in order to call a meeting of the Executive Committee without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Henry, chairman of the Executive Committee, sent up the following notice:

The Executive Committee will meet on Friday, September 7, 1973, at 12:00 o’clock noon in Independence Hall and will consider the following agenda:

AGENDA

Matters relating to the operation of the Convention.

Respectfully submitted,

E. L. HENRY, Chairman of the Executive Committee

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

LEAVE OF ABSENCE

Delegate Chehardy—1/2 day.
Delegate Pugh—2 days.
Delegate Duval—1 day.
Delegate J. Jackson—1/2 day.
Delegate Guanisco—1/2 day.
Delegate Haynes—1/2 day.
Delegate Aertker—1/2 day.
Delegate Giarrusso—September 6 through September 22.

ADJOURNMENT

Delegate Abraham moved that the Convention do now adjourn until Friday, September 6, 1973 at 9:00 o’clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, September 6, 1973 at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. FOYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Armette
Assess
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Cowen
D'Gerolamo
De Bieux
Dennery
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory

Fontenot
Fulco
Gauthier
Ginn
Goldman
Gravel
Grier
Guirrece
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBleu
Leigh
Leithman
Lennox
Lowe
McDaniel
Martin
Mauberret
Miller
Mire
Munson
Newton
Nunez
O’Neill
Ourso

Perez
Perkins
Planchard
Pugh
Rachal
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stilson
Stovall
Sutherland
Taper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ullo
Velasquez
Vesich
Vick
Warren
Wattpigg
Weiss
Wills
Winchester
Wisham
Zervigon

Delegates—
Fowler
Giarrusso
LeBreton

Shannon
Silverberg
O'Neill

Wall
Womack

Total—125.

ABSENT

Delegates—

Total—7.

The Chairman announced that there were 123 members
present and a quorum.

Prayer

Prayer was offered by Delegate De Bieux.

Pledge of Allegiance

Delegate Chehardy led the Convention in reciting
the Pledge of Allegiance to the Flag of the United States of
America.

Reading of the Journal

On motion of Delegate Sandoz, the reading of the Journal
was dispensed with.

On motion of Delegate Sandoz, the Journal of yesterday
was adopted.

Morning Hour

Petitions, Memorials and Communications

The following petitions, memorials and communications
were received and read:

State of Louisiana
HOUSE OF REPRESENTATIVES
State of Louisiana

The Honorable E. L. Henry, Chairman
Constitutional Convention of 1973
State of Louisiana
State Capitol
Baton Rouge, Louisiana 70804
Re: Constitutional Convention

Dear "Bubba":

My conception of the Constitutional Convention was that
we would meet one to two days a week, or at the most,
five or six days a month. It did not occur to me that we
would have to meet four days a week or better, from July
1973 through December of this year. My daily schedule, in-
cluding my business, my legislative work, my personal
life and my civic life is such that I can only give the Con-
stitutional Convention about 50% of the time that it requires.

The substantive committee on which I serve is the Legisla-
tive Powers and Functions. This committee report was the
first adopted in early July.

The procedural committee which I chair is Legislative
 Liaison and Transitional Measures, which completed Com-
mittee Resolution No. 11, which lies on the Clerk's desk for
final action by the Convention at the first given opportunity.

The above should complete my committee work.

After due deliberation, I have come to the conclusion that
I have no alternative but to resign from the C.C. '73 effec-
tive at the end of the day's work on September 6, 1973. I
regret that it is necessary for me to take this action.

May I take this opportunity to wish 100% success for the
efforts of the Constitutional Convention of 1973. If, in the
future, I can be of any assistance, it would be my pleasure
to cooperate with the convention for a successful conclusion.

Sincerely,

EDWARD F. LeBRETON, JR.

Unfinished Business

The following unfinished business in which the Conven-
tion was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee
Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

On motion of Delegate Derbes, and under a suspension of the rules, amendment No. 2 was withdrawn.

Delegate Jack sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jack to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 4, between lines 19 and 20 in Floor Amendment No. 1 proposed by Delegate Avant and adopted by the Convention on September 6, 1973 at the end of line 3, place a comma ",” after the word “record” and add the following: “without cost to him.”

Delegate Jack moved the adoption of the amendment.

Delegate A. Landry objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>Delegates</th>
<th>YEAS</th>
<th>NAYS</th>
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<td>Flory</td>
<td>Landry, E. J.</td>
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<td>Warren</td>
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<td>Glenn</td>
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</table>

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Derbes to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 15 delete Amendment No. 1 proposed by Delegate Burson and adopted by the Convention on September 6, 1973 and on page 4, line 15, after the word “shall” strike out the word “presumably”

On motion of Delegate Kelly the amendment was adopted.

Delegate Kelly moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up floor amendments, which were read as follows:

<table>
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<tbody>
<tr>
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<td>Blair</td>
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<td>Total—79</td>
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</table>

Delegate Roy objected.

By a vote of 50 yeas and 58 nays the amendment was rejected.

**ABSENT**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>Anzalone</td>
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<td>DeShothels</td>
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<tr>
<td>Fayard</td>
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<td>Fowler</td>
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<tr>
<td>Giarrusso</td>
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<table>
<thead>
<tr>
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<tbody>
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<td>Kear</td>
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<td>Kelly</td>
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<td>Lambert</td>
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<td>LeBlond</td>
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<td>LeBreton</td>
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<td>Mauberret</td>
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<tr>
<td>Nunez</td>
<td></td>
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<tr>
<td>Ourso</td>
<td></td>
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<tr>
<td>Total—69</td>
<td></td>
</tr>
</tbody>
</table>
And the amendment was rejected.

Delegate Abraham moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other Orders of Business at this time.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read.

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

September 7, 1973

Hon. Wade O. Martin, Jr.
Secretary of State
Baton Rouge, Louisiana

Dear Mr. Martin:

Please issue commission to the following:

Emile M. Comar, Jr., 2014 Prytania Street, New Orleans, 70115, as Delegate to the Constitutional Convention of 1973 (District 92), vice Representative Edward F. LeBreton, Jr., resigned.

Yours very truly,
EDWIN EDWARDS
Governor of Louisiana

OATH OF OFFICE

Emile M. Comar, Jr. appeared before the bar of the Convention and took the following oaths of office administered by Honorable David R. Poynter, Clerk of the House of Representatives and Chief Clerk of the Constitutional Convention:

"I hereby solemnly swear that I will support the Constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assembled. So help me God."

"I (Emile M. Comar, Jr.) do solemnly swear that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention, according to the best of my ability and understanding. So help me God."

Unfinished Business, Resumed

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

COMMITTEE PROPOSAL No. 25—

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2), by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss:

A PROPOSAL

To provide a preamble and a declaration of rights to the constitution.

Read.

Section 12. Rights of the Accused

Section 12. When a person has been detained, he shall immediately be advised of his legal rights and the reason for his detention. In all criminal prosecutions, the accused shall be precisely informed of the nature and cause of the accusation against him. At all stages of the proceedings, every person shall be entitled to assistance of counsel of his own choice, or appointed by the court in indigent cases if charged with an offense punishable by imprisonment.

Read.

Delegate Dennis sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Dennis to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, between lines 19 and 20, in Floor Amendment No. 1 proposed by Delegate Avant and adopted by the Convention on September 6, 1973, on line 4 at the end of the line add the following:

"The cost of the transcription of such record shall be paid as provided by law."

Delegate Dennis moved the adoption of the amendment.

Delegate Jack objected.

By a vote of 92 yeas and 20 nays the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Velazquez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Velazquez and J. Jackson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, at the end of line 19, add the following:

"The legislature shall provide for a uniform system for securing counsel for indigents, including qualifications and compensation."

Delegate Velazquez moved the adoption of the amendment.

Delegate Drew objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Aertker
Alario
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Bollinger
Brien
Brown
Burks
Burns
Burson
Casey
Champagne
Chatelain
Comar

Conino
Conroy
Corne
D’Gerolamo
Denney
Derbes
Deshotels
Dunlap
Duval
Edwards
Elkins
Fayard
Fiery
Fontenot
Fuico
Gauthier
Ginn
Gravel
Grier
Guarisco
Hardee

Hayes
Heine
Jack
Jackson, A.
Jackson, J.
Juneau
Kilbourne
Klippatrick
Lambert
Lancrum
Landry, A.
Landry, E. J.
Lanier
Leigh
Leithman
Lennox
Martin
Miller
Mire
Munson
Newton
Delegate Derbes moved the adoption of the amendments.
Delegate Stinson objected.

By a vote of 100 yeas and 9 nays the amendments were adopted.
Delegate Derbes moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Derbes sent up floor amendments, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 25 by Delegate A. Jackson, et al.

**AMENDMENT No. 1—**
On page 4, line 16, after the word and punctuation “him,” delete the remainder of the line and delete lines 17 through 18, both inclusive, in their entirety.
Delegate Pugh objected.

By a vote of 35 yeas and 71 nays the amendment was rejected.
Delegate Jack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**
Committee Proposal No. 25, Section 12, was read as amended.
Delegate Stinson moved the passage of the Section.

**ROLL CALL**
The roll was called with the following result:

**YEAS**

- Nunez
- O'Neill
- Outso
- Perez
- Perkins
- Planchar
- Pugh
- Rayburn
- Reeves
- Riecke
- Robinson
- Roemer

Total—99.

**NAYS**

- Carmouche
- De Blieux
- Drew
- Goldman

Total—11.

**ABSENT**

- Mr. Chairman
- Anzalone
- Cannon
- Chehardy
- Cowen
- Dennis
- Fowler
- Giarrusso

Total—22.

And the amendment was adopted.
Delegate Velazquez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Derbes sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Derbes to Committee Proposal No. 25 by Delegate A. Jackson, et al.

**AMENDMENT No. 1—**
On page 4, line 12 after “Section 12,” delete the remainder of the line and delete line 13 and on line 14 at the beginning of the line delete the words and punctuation “for his detention.”

**AMENDMENT No. 2—**
On page 4, line 12, after “Section 12,” insert the following:

- “When any person has been arrested or detained in connection with the investigation or commission of any offense, he shall be advised fully of the reason for his arrest or detention, his right to remain silent, his right against self incrimination, his right to the assistance of counsel and, to court appointed counsel, if indigent.”

Delegate Derbes moved the adoption of the amendments.
Delegate Stinson objected.

By a vote of 100 yeas and 9 nays the amendments were adopted.
Delegate Derbes moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Derbes sent up floor amendments, which was read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Derbes to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 4, line 12 after “Section 12,” delete the remainder of the line and delete line 13 and on line 14 at the beginning of the line delete the words and punctuation “for his detention.”

**AMENDMENT No. 2—**
On page 4, line 12, after “Section 12,” insert the following:

- “When any person has been arrested or detained in connection with the investigation or commission of any offense, he shall be advised fully of the reason for his arrest or detention, his right to remain silent, his right against self incrimination, his right to the assistance of counsel and, to court appointed counsel, if indigent.”

Delegate Derbes moved the adoption of the amendments.
Delegate Stinson objected.

By a vote of 100 yeas and 9 nays the amendments were adopted.
Delegate Derbes moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Derbes sent up floor amendments, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 4, line 16, after the word and punctuation “him,” delete the remainder of the line and delete lines 17 through 18, both inclusive, in their entirety.
Delegate Drew moved the adoption of the amendment.
Delegate Drew objected.

By a vote of 35 yeas and 71 nays the amendment was rejected.
Delegate Jack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
PAGE 5

43rd Days Proceedings—September 7, 1973

NAYS

Delegates—
Arnette
Deshotels
Drew
Edwards
Elkins

Absent
Anzalone
Berry
Cannon
Chehardy
Cowen
Powler
Giarrusso

Total—13.

Delegates—
Kilbourne
Landry, A.
McDaniel
Martin
Ours

Perez
Sutherland
Tobias

Shannon
Silverberg
Vesich
Vick
Wall
Wisham
Womack

NAYS

Delegates—
Reeves
Riecke
Robinson
Roemer
Sandoz
Singley
Slay
Smith
Stagg
Stephenson
Stovall
Sutherland
Tapper
Tate

Gravel
Grier
Guarisco
Jackson, A.
Jackson, J.
Jenkins
Landrum
Monson
O'Neill
Pugh
Rayburn
Shannon
Silverberg
Wall
Wisham
Womack

Delegates—
Mr. Chairman
Avant
Bel
Cannon
Fayard
Powler

Total—21.

Delegates—
Guarisco
Haynes
Keen
Mauberret
Miller
Rachal
Segura

Shannon
Silverberg
Vesich
Vick
Wall
Wisham
Womack

NAYS

Delegates—
Asseff
Berry
Blair
Brief
Carmouche
Conroy
Dunlap
Duval
Flory
Goldman

Total—29.

Delegates—
Guarisco
Haynes
Keen
Mauberret

Womack

Delegates—
Anzalone
Berry
Cannon
Chehardy
Cowen
Powler
Giarrusso

Total—18.

Delegates—
Guarisco
Haynes
Keen
Mauberret

Womack

And the Chair declared that the above Section was passed.

Delegate Stinson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 13. Initiation of Prosecution

Section 13. Prosecution of felonies shall be initiated by indictment or information, provided that no person shall be held to answer for a capital crime or a felony necessarily punishable by hard labor, except on indictment by a grand jury. No person shall be twice placed in jeopardy for the same offense, except on his own application for a new trial or when a mistrial is declared or a motion in arrest of judgment is sustained.

Read.

Delegate Burson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 23, place a comma "," after the word "crime" and delete the remainder of the line and at the beginning of line 24 delete the words and punctuation "punishable by hard labor;"

Delegate Burson moved the adoption of the amendment.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Badeaux
Bergeron
Bollinger
Brown
Burns
Burson
Casey
Champagne
Chatelain

Chehardy
Conino
Conre
Cowen
D'Gerolamo
De Blieux
Denorry
Dennis
Derbes
Deshotels
Drew
Edwards
Elkins
Fontenot

Fulco
Gauthier
Ginn
Hardee
Hayes
Heine
Hernandez
Jack
Juneau
Kean
Kilbourne
Lambert
Landry, A.
Landry, E. J.

Lanier

Yeas—

De Blieux
Dennery
Dennis
Dunlap
Flory
Fulco
Ginn
Goldman
Gravel
Grier
Guarisco
Hardee

Hernandez
Jackson, A.
Jackson, J.
Jenkins
Kean
Landrum
Landry, A.
Landry, E. J.
LeBieu
Lennox
Low
Munson

Thistlethwaite
Thompson
Toce
Toomy
Uilo
Velasquez
Vestich
Wattigny
Weiss
Willis
Winchester
Zervigon

And the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel and Pugh to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 23, immediately after the word "for" delete the remainder of the line and insert in lieu thereof the following:

"any capital offense, or any felony in which punishment at hard labor for twenty years or more may be imposed upon conviction;"

Delegate Pugh moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Badeaux
Bergeron
Bollinger
Brown
Burns
Burson
Casey
Champagne
Chatelain

Dennery
Dennis
Dunlap
Flory
Fulco
Ginn
Goldman
Gravel
Grier
Guarisco
Hardee

Jackson, A.
Jackson, J.
Jenkins
Kean
Landrum
Landry, A.
Landry, E. J.
LeBieu
Lennox
Low
Munson

Hernandez
Jackson, A.
Jackson, J.
Jenkins
Kean
Landrum
Landry, A.
Landry, E. J.
LeBieu
Lennox
Low
Munson
The amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Duval sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**—

On page 4, delete lines 23 and 24, in their entirety, including all floor amendments previously adopted thereto, and insert in lieu thereof the following:

"No person shall be denied the right to a preliminary examination unless previously indicted by a grand jury."

Delegate Burson moved the adoption of the amendment.

Delegate Gravel objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
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<tr>
<td>Anzalone</td>
<td>Fontenot</td>
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<td>Arnette</td>
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<td>Bergeron</td>
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<td>Burns</td>
<td>Jack</td>
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<td>Buson</td>
<td>Juneau</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Conino</td>
<td>Leithman</td>
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<td>Corne</td>
<td>Liley</td>
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<tr>
<td>D'Gerolamo</td>
<td>McDaniel</td>
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<tr>
<td>Derbes</td>
<td>Martin</td>
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<td>Deshotels</td>
<td>Mire</td>
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<td>Drew</td>
<td>Nuex</td>
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<tr>
<td>Edwards</td>
<td>Ourso</td>
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</tbody>
</table>

**Total—59.**

**NAYS**

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<tr>
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<tr>
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<td>Assoff</td>
<td>Guerisco</td>
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<td>Avant</td>
<td>Hayes</td>
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<td>Berry</td>
<td>Hernandez</td>
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<td>Blair</td>
<td>Jack</td>
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<td>Brown</td>
<td>Jackson, A.</td>
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<td>Chateaun</td>
<td>Jackson, J.</td>
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<td>Comer</td>
<td>Jenkins</td>
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<td>Conroy</td>
<td>Kelly</td>
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<td>Coxe</td>
<td>Kilpatrick</td>
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<td>De Bieaux</td>
<td>Landrum</td>
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<td>Dennis</td>
<td>Landry, E. J.</td>
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<tr>
<td>Dunlap</td>
<td>Munson</td>
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<td>Flory</td>
<td>Newton</td>
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<tr>
<td>Fule</td>
<td>O'Neill</td>
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<tr>
<td>Ginn</td>
<td>Pugh</td>
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</tbody>
</table>

**Total—59.**

And the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**PASSENGE**

Committee Proposal No. 25, Section 13, was read, as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**ABSSENT**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
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<td>Auffant</td>
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<td>Bollenger</td>
<td>Haynes</td>
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<td>Brown</td>
<td>Kilbourne</td>
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<td>Caimo</td>
<td>Lamberi</td>
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<td>Comer</td>
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<td>Conroy</td>
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<td>De Bieaux</td>
<td>Liley</td>
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<td>Dennis</td>
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<td>Dunlap</td>
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<td>Fule</td>
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<tr>
<td>Ginn</td>
<td>Liley</td>
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<tr>
<td>Goldman</td>
<td>Liley</td>
</tr>
</tbody>
</table>

**Total—18.**

And the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:
PAGE 7
43rd Days Proceedings—September 7, 1973

Delegates—
Mr. Chairman—Jackson
Abraham—Flory
Aertker—Fontenot
Alario—Gauthier
Alexander—Ginn
Anzalone—Goldman
Arnette—Gravel
Avant—Grier
Badeaux—Hardee
Bergeron—Hayes
Berry—Heine
Bollinger—Hernandez
Brien—Jackson
Brown—Jenkins
Burns—Juneau
Burson—Kelly
Carmouche—Kilpatrick
Casey—Lambert
Champagne—Landry, A.
Chataelin—Landry, E. J.
Conar—Lanier
Conino—LeBlanc
Conroy—Leigh
Corne—Leithman
Cowan—Lennox
D’Gerolamo—Lowe
Denner—McDaniel
Dennis—Martin
Derbes—Miller
Deshotels—Mire
Dunlap—Munson
Duval—Newton
Edwards—Total—100.

Delegates—
Asseff—Jackson, J.
Biel—Landrum
Blair—Schmit
Berry—Soniat
Brien—Stinson

ABSENT

Haynes—Shannon
Kean—Silverberg
Kilbourne—Tapper
Mauberret—Toca
Pugh—Wall
Rayburn—Womack

NAYS

Jackson, J.—Velazquez
Landrum—Vick
Schmit—Warren
Soniat—Wisham
Stinson

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 14. Grand Jury Proceedings

Section 14. At all stages of the grand jury proceedings, after arrest, the accused, if permitted to testify, shall have the right to the advice of counsel while testifying, to compulsory process for presenting witnesses to the grand jury for interrogation, and to the transcription of any witnesses appearing before the grand jury in his case.

Read.

Delegate Arnette sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Arnette to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, delete lines 29 through 32 in their entirety and on page 5, delete lines 1 through 5 in their entirety.

Delegate Arnette moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Abraham—Dorber
Aertker—Deshotels
Alario—Drew
Anzalone—Duval
Arnette—Edwards
Badeaux—Elkins
Bergeron—Fontenot
Bollinger—Gauthier
Brien—Grier
Burns—Hardee
Bursi—Harnez
Cannon—Juneau
Casvie—Kean
Champagne—Landry, A.
Carr—Landry, E. J.
Conroy—Leigh
Corne—Lennox
Cowan—Lowe
D’Gerolamo—McDaniel
Denner—Martin

Total—62.

NAYS

Alexnder—Haynes
Asseff—Jackson, A.
Avant—Jackson, J.
Berry—Jenkins
Blair—Kelly
Brown—Kilpatrick
Comar—Lambert
De Biex—Landry, A.
Dennis—Landry, E. J.
Dunlap—Mire
Flory—Monson
Fulco—Newton
Goldman—O’Neill
Gravel—Perkins
Guarisco—Pugh
Hayes—Rachal

Total—49.

ABSENT

Mr. Chairman—Jackson
Biel—Kilbourne
Chatelain—LeBlanc
Chehad—Leithman
Fayard—Mauberret
Rower—O’Neill
Pugh—Rayburn

Total—21.

And the amendment was adopted.

Delegate Arnette moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 15. Fair Trial

Section 15. Every person charged with a crime shall be presumed innocent until proven guilty, and shall be entitled to a speedy, public, and impartial trial in the parish where the offense or an element of the offense occurred, unless venue be changed in accordance with law. No person shall be compelled to give evidence against himself. An accused shall be entitled to confront and cross-examine the witnesses.
against him, to compel the attendance of witnesses, to present a defense, and to take the stand in his own behalf.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 5, line 13, at the end of the line, add the following:

"Prior to his trial, every defendant shall be furnished with the transcribed testimony or statement, for or against him, of any witnesses appearing before any official or employee of the state or any of its political subdivisions or any grand jury which participated in any investigation of the case for which he is being prosecuted."

Delegate Gravel moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
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<tr>
<td>Jackson, J.</td>
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<td>Kelly</td>
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<td>Kilpatrick</td>
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<td>Landrum</td>
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<td>Landry, E. J.</td>
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<td>Ourso</td>
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<td>Pugh</td>
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<td>Roy</td>
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<td>Schmitt</td>
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**NAYS**

<table>
<thead>
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<tr>
<td>Abraham</td>
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<tr>
<td>Giarussso</td>
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</table>

**TOTAL—108.**

**NAYS**

<table>
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<tr>
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<tr>
<td>Jackson, J.</td>
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<td>Total—2.</td>
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</table>

**FLOOR AMENDMENT**

Amendment proposed by Delegate Derbes to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 5, line 13, after the word "to" and before the words "in his own behalf," insert: "prior to his trial, every defendant shall be furnished with the transcribed testimony or statement, for or against him, of any witnesses appearing before any official or employee of the state or any political subdivision or any grand jury which participated in any investigation of the case for which he is being prosecuted."

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up a floor amendment, which was read as follows:

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 25, Section 15, was read as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>Abraham</td>
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<td>A. Jackson</td>
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<td>Fower</td>
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<tr>
<td>Giarussso</td>
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</tbody>
</table>

**TOTAL—108.**

**NAYS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Jackson, J.</td>
<td></td>
</tr>
<tr>
<td>Total—2.</td>
<td></td>
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</tbody>
</table>
ABSENT

Delegates—
Brown Hardee Rayburn
Chatelain Heine Shannon
Chehardy Kilbourne Silverberg
Cowen Lambert Smith
Drew Landrum Wall
Fayard LeBieu Womack
Fowler Mauberret
Giarrusso Munson
Total—22.

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate A. Jackson, the Convention altered the Order of Business to take up other Orders of Business at this time.

COMMITTEE NOTICE

Delegate Zervigon, Vice chairperson of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Wednesday, September 12, 1973, at 1:00 o'clock p.m. in Committee Room 5 and will consider the following agenda:

AGENDA

Election of the chairman of the committee and other matters relating to the work of the committee.

Respectfully submitted,

MARY ZERVIGNON,
Vice-Chairperson of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

CHANGE OF MEETING TIME

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Wednesday, September 12, 1973, at 1:30 o'clock p.m. in Committee Room 9 and will consider the following agenda:

Respectfully submitted,

ALBERT TATE, JR.,
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate A. Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Thursday, September 13, 1973, at 9:00 o'clock a.m. in (Room to be announced) and will consider the following agenda:

AGENDA

To consider the delegate proposal relating to freedom from discrimination

Respectfully submitted,

ALPHONSE JACKSON, JR.,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Stovall, chairman of the Committee on Rules, Credentials, and Ethics, sent up the following notice:

The Committee on Rules, Credentials and Ethics will meet on Wednesday, September 12, 1973, at 1:00 o'clock p.m. in Committee Room 10 and will consider the following agenda:

AGENDA

To consider resolutions which have been referred to the committee.

Respectfully submitted,

JAMES L. STOVALL,
Chairman of the Committee on Rules, Credentials, and Ethics

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence

Delegate Kean—1/2 day.
Delegate Avant—1/2 day.
Delegate Rayburn—1/2 days.
Delegate Segura—1/2 day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Saturday, September 8, 1973 at 9:00 o'clock a.m.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, September 8, 1973 at 9:00 o'clock a.m.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

**PRESENT**

Delegates—

Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bergeron
Bollinger
Brien
Brown
Burns
Burson
Cannon
Casey
Champagne
Chatek
Cherardy
Cimar
Cono
Core
Cowen
Derbes
Deshotels
Dennery
Dennis
Derbes
Deshotel
Drew
Dunlap
Duval
Edwards
Elkins
Fayard

Total—113.

**ABSENT**

Delegates—

Bel
Berry
Blair
Carmouche
Fowler
Giarrusso
Haynes

Total—19.

The Chairman announced that there were 113 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Brien.

**Pledge of Allegiance**

Delegate Heine led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Delegate Avant, the reading of the Journal was dispensed with.

On motion of Delegate Avant, the Journal of yesterday was adopted.

**Regular Order**

**Unfinished Business**

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals**

**Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 25—**

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

To provide a preamble and a declaration of rights to the constitution.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 25 when it adjourned on Friday, September 7, 1973, which was taken up and acted upon as follows:

**Section 16. Trial by Jury in Criminal Cases**

Section 16. Any person charged with an offense or set of offenses punishable by imprisonment of more than six months may demand a trial by jury. In cases involving a crime necessarily punishable by hard labor, the jury shall consist of twelve persons, all of whom must concur to render a verdict in capital cases or cases in which no parole or probation is permitted, and ten of whom must agree in others. In cases not necessarily punishable by hard labor, the jury may consist of a smaller number of persons, all of whom must concur to render a verdict. The accused shall have the right to voir dire and to challenge jurors peremptorily.

Read.

On motion of Delegate A. Jackson action on the above Section was deferred at this time.

**Section 17. Right to Bail**

Section 17. Excessive bail shall not be required. Before and during a trial, a person shall be bailable by sufficient sureties, unless charged with a capital offense and the proof is evident and the presumption is great. After conviction and before sentencing, a person shall be bailable if the maximum sentence which may be imposed is less than five years, and the judge may grant bail if the maximum sentence which may be imposed is greater. After sentencing and until final judgment, persons shall be bailable if the sentence actually imposed is less than five years, and the judge may grant bail if the sentence actually imposed is greater.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:
### FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 25 by Delegate A. Jackson, et al.

**AMENDMENT No. 1—**

On page 5, line 31 after the word "presumption" and before the words "is great" insert the words "of guilt"

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Gravel and Burson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

**AMENDMENT No. 1—**

On page 6, delete lines 1 through 7, both inclusive in their entirety and insert in lieu thereof the following: "the maximum sentence which may be imposed is imprisonment of five years or less. The judge may grant bail if the maximum sentence which may be imposed is imprisonment in excess of five years. After sentencing and until final judgment, persons shall be bailable if the sentence actually imposed is five years or less and the judge in his discretion may grant bail if the sentence actually imposed is in excess of five years imprisonment."

Delegate Gravel moved the adoption of the amendment.

Delegate Alario objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
<tr>
<td>Elkins</td>
<td>Warren</td>
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<tr>
<td>Mire</td>
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<td>Munson</td>
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<td>Ouso</td>
<td>Willis</td>
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<td>Perez</td>
<td>Willis</td>
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<td>Newton</td>
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<td>Segura</td>
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<td>Robinson</td>
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<td>Vick</td>
<td>Toca</td>
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<tr>
<td>Warren</td>
<td>Tookey</td>
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</table>

**Passage**

Committee Proposal No. 25, Section 17, was read as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>ABSENT</th>
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<tbody>
<tr>
<td>Flory</td>
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<td>Heine</td>
<td>Newton</td>
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<td>Hernandez</td>
<td>O'Neill</td>
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<td>Jenkins</td>
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<td>Juneau</td>
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<td>Kilpatrick</td>
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<td>Shannon</td>
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<td>Silverberg</td>
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<td>Wall</td>
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<td>Reynolds</td>
<td>Chigot</td>
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<tr>
<td>Reeves</td>
<td>Chigot</td>
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</table>

Total—101.

**NAYS**

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Bollinger</td>
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<tr>
<td>Roemer</td>
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<td>Nunez</td>
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<td>Perkins</td>
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<td>Pugh</td>
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<td>Rayburn</td>
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<td>Shannon</td>
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<td>Silverberg</td>
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<tr>
<td>Wall</td>
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<tr>
<td>Womack</td>
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<tr>
<td>Jackson, J.</td>
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</tbody>
</table>
By a vote of 99 yeas and 5 nays the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 25, Section 16, was read as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—


Total—104.

**NAYS**

Delegates—

Asseff, Total—3.

**ABSENT**

Delegates—

Bel, Berry, Blair, Cannon, Carmonche, Corne, Fayard, Fowler, Giarrusso.

Total—25.

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Perez the rules were suspended in order to call a meeting of the Committee on Local and Parishal Government without giving the required 24 hours notice.
Unfinished Business, Resumed

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.

Read.

Section 18. Right to Humane Treatment

Section 18. No person shall be subjected to euthanasia, torture, or cruel, unusual, or excessive punishments or treatments, and full rights shall be restored by termination of state or federal supervision for any offense.

Read.

Delegate Dennery sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, delete line 10 in its entirety and at the beginning of line 11 delete the word and punctuation "treatments," and insert in lieu thereof the following: "torture, or cruel, excessive or unusual punishment."

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Zervigon sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Zervigon to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, line 9, immediately after the word "to" delete the remainder of the line

Delegate Zervigon moved the adoption of the amendment.
Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario

NAYS

Delegates—
Goldman
Guarisco
Hayes
Jackson, A.
Jenkins
Kelly
Kilpatrick
Lambert
Landrum
Landry, E. J.
Lennox
O'Neill
Panchard
Reeves
Riecke

ABSENT

Delegates—
Jackson, J.
Kilbourne
Mauboot
Miller
Monson
Nunez
Perez
Perkins

Total—45.

And the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Jack sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jack to Committee Proposal No. 25 by Delegate A. Jackson, et al.

AMENDMENT No. 1—
On page 6, line 11, immediately after the word "punishment" added by Convention Floor Amendment No. 1 proposed by Mr. Dennery and adopted by the Convention on September 8, 1973, change the comma "," to a period "." and delete line 11 and line 12 in their entirety.

Motion

Delegate Jack suggested the absence of a quorum.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

PRESENT

Delegates—
Alexander
Anzalone
Arnette

456
<table>
<thead>
<tr>
<th>Residence</th>
<th>Delegate</th>
<th>Residence</th>
<th>Delegate</th>
<th>Residence</th>
<th>Delegate</th>
<th>Residence</th>
<th>Delegate</th>
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</thead>
<tbody>
<tr>
<td>Avant</td>
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<tr>
<td>Bergeron</td>
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<td>Roy</td>
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<td>Kern</td>
<td>Kelly</td>
<td>Stinson</td>
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<tr>
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<td>Stovall</td>
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<td>Conroy</td>
<td>L'Gcelamo</td>
<td>Sutherland</td>
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<td>Conroy</td>
<td>De Blieux</td>
<td>Tapper</td>
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<td>Dennery</td>
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<td>Casey</td>
<td>Conroy</td>
<td>Dennis</td>
<td>Thistlewaite</td>
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<td>Chatelan</td>
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<td>Chehardt</td>
<td>Conroy</td>
<td>Derbes</td>
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<td>Velazquez</td>
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<td>Conino</td>
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<td>Conroy</td>
<td>Edwards</td>
<td>Warren</td>
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<td>D'Gerolamo</td>
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<td>De Blieux</td>
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<td>Edwards</td>
<td>Weiss</td>
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<td>Dennery</td>
<td>Conroy</td>
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<td>Willis</td>
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<td>Winchester</td>
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<td>Dunlap</td>
<td>Edwards</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Roy, on behalf of the Committee on Bill of Rights and Elections to Committee Proposal No. 25 by Delegate A. Jackson, et al. Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

Strike out Convention Floor Amendment No. 1 proposed by Mr. Dennery and adopted by the Convention on September 8, 1973.

**AMENDMENT No. 2—**

On page 6, delete lines 9 and 10 in their entirety and at the beginning of line 11, strike out the words and punctuation "treatments," and insert in lieu thereof the following:

"Section 17. No law shall subject any person to euthanasia, torture, cruel, excessive, or unusual punishments;"

Delegate Weiss moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnete</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Asseff</td>
<td>Jack</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Kean</td>
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<tr>
<td>Drew</td>
<td>Landry, A.</td>
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<tr>
<td>Elkins</td>
<td>Lanier</td>
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<tr>
<td>Fayard</td>
<td>Lennox</td>
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<tr>
<td>Fulco</td>
<td>Lowe</td>
</tr>
<tr>
<td>Giner</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Cannon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aseff</td>
<td>Champagne</td>
</tr>
<tr>
<td>Avant</td>
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<td>Bergeron</td>
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<td>Bollinger</td>
<td>D'Gerolamo</td>
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<td>Bien</td>
<td>De Blieux</td>
</tr>
<tr>
<td>Brown</td>
<td>Burns</td>
</tr>
<tr>
<td>Burner</td>
<td>Duval</td>
</tr>
</tbody>
</table>

 delegated case to include the following:
Tobias Toca Vesich Vickers

Delegate Weiss moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Drew to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1:**

On page 6, line 11 immediately after the word “restored” and before the word “by” insert the words “for any first offender”.

Delegate Drew moved the adoption of the amendment.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abarham
Alexander
Arnette
Avant
Badeaux
Bergeron
Bollinger
Brown
Burns
Burson
Casey
Champagne
Chatelain
Chehardy
Comar
Conin
Conroy
Cowan
D'Gerolamo
De Blieux
Dennery
Dennis
Derbes
Deshotels
Duval
Edwards
Floy
Hardee
Hayes
Jackson, A.
Jenkins
Juneau
Kelly
Kilpatrick
Landrum
Leithman
Lowe
Mire
Newton
O'Neill
Ourso
Planchard
Rachel
Reeves
Riecke
Roemer
Roy
Sandoz
Schmitt
Slat
Smith
Soniat
Stagg
Stephenson
Stovall
Tape
Tobias
Tocas
Ullo
Velasquez
Vesich
Vick
Warren
Wattigney
Weiss
Willis
Winchester
Wisham
Zervig
Total—81.

NAYS

Delegates—
Aariker
Conroy
Cowan
Deshotels
Drew
Elkins
McDaniel
Total—16.

ABSENT

Delegates—
Alario
Bel
Berry
Blair
Carmouche
Dennis
Fayard
Fowler
Garrusso
Haynes
McDaniel
Martin
Mauherret
Munson
Nunez
Perez
Perkins
Pugh
Rayburn
Segura
Shannon
Silverberg
Thompson
Toomy
Wall
Womack
Total—28.

And the Chair declared that the above Section was passed.

Delegate Roy moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 19. Right to Vote

Section 19. No person eighteen years of age or older who is a citizen and resident of the state shall be denied the right to register and to vote, except that this right may be suspended while a person is interdicted and judicially declared mentally incompetent, or under an order of imprisonment for conviction of a felony.

Read.

Delegate A. Landry sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates A. Landry, Badeaux, Lanier, Bollinger, Bel, Martin, Burns, Willis, Duval, Toomy, Roemer, Segura, Ourso, and Landrum to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 14 through 16, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 19. Every citizen of the state, upon reaching
eleven years of age shall have the right to register and vote, except that this right may be sus-

Delegate A. Landry moved the adoption of the amendment.
Delegate Roy objected.
By a vote of 59 yeas and 40 nays the amendment was adopted.
Delegate A. Landry moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**
Amendment proposed by Delegate Dennery to Committee Proposal No. 25 by Delegate A. Jackson, et al.
Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 6, line 17, after the word “is” delete the words “interdicted and” and on line 18 after the word “incompetent” insert the words “in an adversary proceeding”
Delegate Dennery moved the adoption of the amendment.
Delegate De Bieux objected.
By a vote of 47 yeas and 66 nays the amendment was rejected.
Delegate De Bieux moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate De Bieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**
Amendment proposed by Delegate De Bieux to Committee Proposal No. 25 by Delegate A. Jackson, et al.
Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 6, line 17, after the word “interdicted” delete the word “and” and insert in lieu thereof the word “or”
On motion of Delegate De Bieux the amendment was withdrawn.
Delegate Stinson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**
Amendments proposed by Delegate Stinson to Committee Proposal No. 25 by Delegate A. Jackson, et al.
Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 6, line 17 immediately after the word “is” delete the remainder of the line and insert in lieu thereof the following: “mentally incompetent, or judicially committed to a mental institution.”
**AMENDMENT No. 2—**
On page 6, line 18, at the beginning of the line delete the following: “mentally incompetent,”
On motion of Delegate Stinson the amendments were withdrawn.
Delegate Stinson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**
Amendments proposed by Delegate Stinson to Committee Proposal No. 25 by Delegate A. Jackson, et al.
Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**
On page 6, line 17 immediately after the word “is” delete the remainder of the line and insert in lieu thereof the following: “mentally interdicted for mental incompetency or judicially committed to a mental institution.”
**AMENDMENT No. 2—**
On page 6, line 18, at the beginning of the line delete the following: “mentally incompetent,”
Delegate Stinson moved the adoption of the amendments.
Delegate Kelly objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**
The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Dennis</td>
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<tr>
<td>Drew</td>
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<tr>
<td>Duval</td>
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<td>Elkins</td>
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<td>Fulco</td>
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<td>Goldman</td>
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<td>Hardee</td>
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<tr>
<td>Hernandez</td>
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<td>Lambert</td>
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<tr>
<td>Landry, E. J.</td>
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<tr>
<td>Lanier</td>
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<td>LeBleu</td>
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<tr>
<td>Leigh</td>
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</table>

**NAYS**

<table>
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<tbody>
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<td>Grier</td>
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<td>Hayes</td>
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<td>Heine</td>
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<td>Jack</td>
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<td>Jackson, A.</td>
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<td>Jenkins</td>
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<td>Juneau</td>
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<td>Kean</td>
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<td>Kelly</td>
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<td>Newton</td>
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**ABSENT**

<table>
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<td>Perkins</td>
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<td>Fugh</td>
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</table>

By a vote of 38 yeas and 63 nays the amendments were rejected.
Delegate Kelly moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 25, Section 19, was read as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

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<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
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<td>Dunlap</td>
<td>Planchard</td>
</tr>
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<td>Fayard</td>
<td>Rachal</td>
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<td>Flory</td>
<td>Reeves</td>
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<td>Alexander</td>
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<td>Roemer</td>
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<td>Roy</td>
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<td>Sandoz</td>
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<td>Schmitt</td>
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<td>Singleary</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Grier</td>
<td>Slay</td>
</tr>
<tr>
<td>Brien</td>
<td>Guarisco</td>
<td>Smith</td>
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<tr>
<td>Brown</td>
<td>Hardee</td>
<td>Soniat</td>
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<td>Cannon</td>
<td>Hayes</td>
<td>Stephenson</td>
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<tr>
<td>Casey</td>
<td>Hernandez</td>
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<td>Champagne</td>
<td>Jack, A.</td>
<td>Tapper</td>
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<td>Chelatine</td>
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<td>Chehardy</td>
<td>Kelly</td>
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<tr>
<td>Comar</td>
<td>Juneau</td>
<td>Toca</td>
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<tr>
<td>Conio</td>
<td>Kelly</td>
<td>Ull</td>
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<td>Conroy</td>
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<td>Velsquez</td>
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<td>Vesich</td>
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<td>Cowen</td>
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<td>Vick</td>
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<td>D'Gerolamo</td>
<td>Landry, E. J.</td>
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<td>De Bileux</td>
<td>Martin</td>
<td>Wattigny</td>
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<tr>
<td>Denery</td>
<td>Mire</td>
<td>Weiss</td>
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<tr>
<td>Dennis</td>
<td>Newton</td>
<td>Willis</td>
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<td>Derbes</td>
<td>O'Neill</td>
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<td>Ousso</td>
<td>Zerigron</td>
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<tr>
<td>Asseff</td>
<td>Gauthier</td>
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<tr>
<td>Bollinger</td>
<td>Heine</td>
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<td>Burns</td>
<td>Kean</td>
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<tr>
<td>Burson</td>
<td>Lanier</td>
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<td>Drew</td>
<td>LeBlanc</td>
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<td>Duval</td>
<td>Leigh</td>
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<tr>
<td>Alarco</td>
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<tr>
<td>Bel</td>
<td>Landrum</td>
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<td>Berry</td>
<td>Leithman</td>
</tr>
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<td>Blair</td>
<td>McDaniel</td>
</tr>
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<td>Carmouche</td>
<td>Maudry</td>
</tr>
<tr>
<td>Edwards</td>
<td>Miller</td>
</tr>
<tr>
<td>Fowler</td>
<td>Munson</td>
</tr>
<tr>
<td>Giarruso</td>
<td>Nunez</td>
</tr>
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<td>Haynes</td>
<td>Perez</td>
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<tr>
<td>Jackson, J.</td>
<td>Perkins</td>
</tr>
<tr>
<td>Total—30.</td>
<td></td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Stinson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Perez, the Convention altered the Order of Business to take up Reports of Committees at this time.

**Reports of Committees**

The following reports of committees were received and read:

Delegate Perez, chairman, on behalf of the Committee on Local and Parochial Government, submitted the following report:

State of Louisiana
Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Local and Parochial Government to submit the following report:

**COMMITTEE PROPOSAL No. 17—**

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegate Burson, Cannon, Chelatine, Conio, D'Gerolamo, Fowler, Giarruso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ull, and Zerigron:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Reported with amendments.

Respectfully submitted,

C. O. PEREZ, Chairman,
Chairman.

**Suspension of the Rules**

On motion of Delegate Perez the rules were suspended in order to take up the Proposal contained in the Committee Report at this time.

**Reports of Committees Lying Over**

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

**COMMITTEE PROPOSAL No. 17—**

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegate Burson, Cannon, Chelatine, Conio, D'Gerolamo, Fowler, Giarruso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ull, and Zerigron:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Reported with the following amendments by the Committee on Local and Parochial Government:

**COMMITTEE AMENDMENTS**

Amendments proposed by Committee on Local and Parochial Government to Committee Proposal No. 17 by Delegate Perez, et al.

Amend printed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 1, after the word "operative" and before the word "that" insert the word "of" and insert in lieu thereof the word "in".

**AMENDMENT No. 2—**

On page 3, line 18, after the word "and" and before the word "functions" insert the words "performance of such"
AMENDMENT No. 3—
On page 3, line 30, after the word "charter" and before the comma ";" insert the words "or alternate charter"

AMENDMENT No. 4—
On page 4, line 5, after the word "electors" and before the word "who" insert a comma ","

AMENDMENT No. 5—
On page 5, line 10, after the word "and" and before the word "functions" insert the words "performance of such"

AMENDMENT No. 6—
On page 5, between lines 10 and 11, insert the following:
"(G) The powers and functions of a parish or city school board and the offices of sheriff, clerk of the district court, coroner, or assessor shall not be affected by any provision of a home rule charter or plan of government adopted or amended under the provisions of this Section."

AMENDMENT No. 7—
On page 6, between lines 2 and 3, insert the following:
"(C) The powers granted in this Section shall not be construed to affect the powers and functions of a parish or city school board and the offices of sheriff, clerk of a district court, coroner, or assessor."

AMENDMENT No. 8—
On page 6, line 25, after the semicolon ";" and before "(3)" insert the word "or"

AMENDMENT No. 9—
On page 7, line 2, after the word and punctuation "legislature." delete the remainder of the line and delete line 3 in its entirety

AMENDMENT No. 10—
On page 7, between lines 3 and 4, insert the following section:
"Section 14. Local Officials; Compensation
Section 14. The compensation or method of fixing the compensation of a local elected official of any local governmental subdivision which operates under a home rule charter or plan of government as provided in Sections 7 and 8 of this Article, shall be provided in its charter. The compensation or method of fixing the compensation of local elected officials of any other local governmental subdivision shall be provided for by law. Compensation of local officials shall not be reduced during the terms for which they are elected."

AMENDMENT No. 11—
On page 7, at the beginning of line 4, change "Section 14." to "Section 15."

AMENDMENT No. 12—
On page 7, at the beginning of line 5, change "Section 14." to "Section 15."

AMENDMENT No. 13—
On page 7, line 23, after the word "year" and before the words "a special" change the semicolon ";" to a comma ","

AMENDMENT No. 14—
On page 8, delete lines 23 through 27, both inclusive, in their entirety

AMENDMENT No. 15—
On page 8, at the beginning of line 28, change "(G)" to "(F)"

AMENDMENT No. 16—
On page 8, delete lines 31 and 32, in their entirety and on page 9, delete lines 1 through 5, both inclusive, in their entirety

AMENDMENT No. 17—
On page 9, line 26, after the word "following" and before the word "powers" insert the word "discretionary"

AMENDMENT No. 18—
On page 10, line 2, after the words "powers and" and before the word "function" insert the words "perform all of its"

AMENDMENT No. 19—
On page 10, line 8, after the word "subdivision" and before the word "However" change the period ";" to a comma "," and insert the following:
"and the requirements of this constitution and applicable laws relative to the levy of taxes and the issuance of bonds are complied with."

AMENDMENT No. 20—
On page 10, at the end of line 28, add the following:
"No such action involving a local public agency shall take effect unless a majority of the electors voting thereon in the local governmental subdivision in which the local public agency is located vote in favor thereof in an election held for that purpose."

AMENDMENT No. 21—
On page 10, at the beginning of line 30, delete the word "abolished" and insert in lieu thereof the words "consolidated and merged"

AMENDMENT No. 22—
On page 10, at the end of line 4, add the following:
"deep-water port commission, or deep-water port, harbor, and terminal district."

AMENDMENT No. 23—
On page 10, line 10, after the word "bonds" and before the word "and" insert the following:
", subject to the approval of the State Bond Commission or any successor thereto."

AMENDMENT No. 24—
On page 10, line 2, after the word "issuing" insert the following:
", subject to the approval of the State Bond Commission or deep-water port commission, or deep-water port, harbor, and terminal district."

AMENDMENT No. 25—
On page 10, line 25, after the word "State" and before the word "and" insert the punctuation and words ", School Districts,"

AMENDMENT No. 26—
On page 10, line 27, immediately after the word "state" insert a comma "," and delete the word "or" and delete line 28 in its entirety and insert in lieu thereof the following:
"school districts, or against any political subdivision in any"

AMENDMENT No. 27—
On page 10, line 2, change ";" to "or" delete line 2 and insert before the words "and" the following:
"of before the number "and 9""

AMENDMENT No. 28—
On page 11, line 1, change the word "any" to "all" and before the word "districts, or against any political subdivision in any"

AMENDMENT No. 29—
On page 11, change "General" to "Special" and after the word "districts, or against any political subdivision in any"

AMENDMENT No. 30—
On page 11, line 1, after "Section 39," and before the word "obligation" delete the word "General" and insert in lieu thereof the following:
"Subject to the approval of the State Bond Commission or any successor thereto, general"

AMENDMENT No. 31—
On page 12, insert a comma "," after the word "any" and before the word "political subdivision in any purpose which, including the existing bonds of such political subdivision incurred for the same purpose and payable solely from ad
valorem taxes levied without limitation as to rate or amount,
shall not exceed in the aggregate ten percent of the total value of all property within such district valued for assessment purposes, including property exempt as homesteads, to be ascertained by the last valuation for political subdivision purposes previous to incurring such indebtedness except that: (1) as to both parishwide school districts and other school districts, the limitation shall be twenty-five percent of the total value of all property within such district valued for assessment purposes as aforesaid; and (2) as to general obligation industrial development bonds, such limitation shall be twenty percent of the total value of all property within the political subdivision valued for assessment purposes as aforesaid.

AMENDMENT No. 32—
On page 21, line 1, after the word "published" and before the word "once" insert the words "at least"

AMENDMENT No. 33—
On page 25, line 20, after the words "passed by" delete the remainder of the line and insert in lieu thereof the words "a favorable vote of at least two-thirds of"

AMENDMENT No. 34—
On page 25, line 28, after the words "deep-water port" delete the remainder of the line and insert in lieu thereof the following: "commission or deep-water port, harbor, and terminal district except by a favorable vote of at least two-thirds of the"

AMENDMENT No. 35—
On page 25, line 9, after the word "port" delete the period ".," and add the following: "commission or deep-water port, harbor, and terminal district."

AMENDMENT No. 36—
On page 26, line 12, after the word "composition" and before the word "and" insert the words "of said board"

AMENDMENT No. 37—
On page 26, line 13, after the word "said" and before the word "shall" delete the word "board" and insert in lieu thereof the word "port"

AMENDMENT No. 38—
On page 27, line 19, after the words "commissions and" and before the word "port" insert the word "deep-water"

On motion of Delegate Perez, and under a suspension of the rules, the amendments were adopted.

On motion of Delegate Perez the above Proposal was ordered engrossed and passed to its third reading.

Motion
On motion of Delegate Abraham, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions
Delegate and Committee Resolutions
The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

DELEGATE RESOLUTION No. 46—
Introduced by Delegate Alexander:
A RESOLUTION
To amend the Standing Rules of the Constitutional Convention to add a new Rule No. 30.1.
Read.
Lies over under the rules.

COMMITTEE NOTICE
Delegate Juneau, chairman of the Committee on Public Information, sent up the following notice:
The Committee on Public Information will meet on Wednesday, September 12, 1973, at 1:30 o'clock P.M. in the House Chamber and will consider the following agenda:

AGENDA
1. Method of final report to the public.
2. Consideration of regional meetings.

Respectfully submitted,
PAT JUNEAU,
Chairman of the Committee on Public Information

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Pugh—1 day.
Delegate Miller—1 day.
Delegate Carmouche—1 day.
Delegate Kilbourne—1 day.
Delegate Beil—1 day.
Delegate Nunez—1 day.
Delegate Shannon—Indefinite.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Wednesday, September 12, 1973, at 9:00 o'clock a.m.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, September 12, 1973 at 9:00 o'clock a.m.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA
FORTY-FIFTH DAYS PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Wednesday, September 12, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Alerio
Anzano
Arnette
Assel
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Comar
Conino
Conroy
Corne
Cowan
D’Gerolamo
De Blieux
Dennis
Deshotels
Drew
Dunlap
Duval
Elkins
Flory
Fontenot

O’Neill
Fowler
Fulco
Gauthier
Goldman
Gravel
Grier
Guarisco
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landry, A.
Landry, E. J.
Lanier
LeBleu
Leigh
Lennox
Lowe
McDaniel
Martin
Mauherret
Miller
Mire
Munson
Newton
Nunes
Ourso

Perez
Perkins
Planchard
Rayborn
Reeves
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Sengletary
Smith
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Tobias
Toea
Toony
Ullo
Velasquez
Veschin
Vick
Wall
Warren
Wattigny
Weiss
Willis
Winchester
Wisham
Zervigon

Delegates—
Aerker
Chehardy
Derbes
Dennery
Edwards
Fayard
Girrussi

Hardee
Haynes
Jackson, J.
Leithman
Pugh
Rachal
Shannon

Riecke
Silverberg
Slay
Stinson
Thompson
Womack

Total—112.

ABSENT

Delegates—
Aerker
Chehardy
Derbes
Dennery
Edwards
Fayard
Girrussi

Hardee
Haynes
Jackson, J.
Leithman
Pugh
Rachal
Shannon

Riecke
Silverberg
Slay
Stinson
Thompson
Womack

Total—20.

The Chairman announced that there were 112 members
present and a quorum.

Prayer

Prayer was offered by Delegate Landrum.

Pledge of Allegiance

Delegate Conroy led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Reeves, the reading of the Journal
was dispensed with.

On motion of Delegate Reeves, the Journal of yesterday
was adopted.

Morning Hour

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions
on second reading to be referred to Committees were taken
up, read, and referred to Committees, as follows:

DELEGATE RESOLUTION No. 48

Introduced by Delegate Alexander:

A RESOLUTION

To amend the Standing Rules of the Constitutional
Convention to add a new Rule No. 30.1.

Read.

Under the rules the above Resolution was referred to the
Committee on Rules, Credentials and Ethics.

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—

Introduced by Delegate A. Jackson, Chairman, Committee
on Bill of Rights and Elections (Substitute for Committee
Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf
of the Committee on Bill of Rights and Elections, and Dele-
gates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick,
Wall and Weiss):

A PROPOSAL

To provide a preamble and a declaration of rights to the
constitution.

Read.

The Chairman announced that the Convention had under
consideration Committee Proposal No. 25 when it adjourned
on Saturday, September 8, 1973, which was taken up and
acted upon as follows:

Section 20. Right to Keep and Bear Arms

Section 20. The right of each citizen to keep and bear
arms shall not be abridged, but this provision shall not pre-
vent the passage of laws to prohibit the carrying of con-
ceded weapons.

Read.

Delegate Avant sent up floor amendments, which were read
as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Avant, Burson, Thomp-
son, Ourso, Munson, A. Landry, Sandoz, Lanier, Ginn, Drew,
Edwards, O’Neill, Jenkins, LeBleu, Elkins, Thistlethwaite,
Heine, Bollinger, Robinson, McDaniel, Martin, Hardee, Cow-
en, Jonesu, Landry, Chatelain, Anzano and Kelly to Com-
mitee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, line 22, after the words “carrying of” delete
Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant moved the adoption of Amendment No. 2.
Delegate Stovall objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario

Anzalone

Asseff

Avant

Badeaux

Bel

Bergerson

Berry

Blair

Bollinger

Brown

Burns

Cannon

Champagne

Chataignier

Conroy

Corne

Cowen

D’Gerolamo

Deshotels

Dunlap

Duval

Elkins

Flory

Total—37.

Fontenot

Gauthier

Ginn

Goldman

Grier

Guarisco

Hayes

Heine

Hernandez

Jenkins

Juneau

Kean

Kelly

Kelkborne

Kilpatrick

Landry, A.

Landry, E. J.

Lanier

Leigh

Lennox

Lowe

Martin

Maubaret

Miller

Mire

Newton

Nunez

O’Neill

Perez

Planchar

Rayburn

Reeves

Robinson

Roy

Sandoz

Singletary

Smith

Siagg

Stephenson

Sutherland

Tapper

Thistlethwaite

Toca

Toomcy

Tuggle

Velasquez

Vick

Warren

Weiss

Zervigon

NAYS

Delegates—

Aeriker

Bullem

Burns

Cannon

Champagne

Chataignier

Conroy

Corne

Cowen

D’Gerolamo

Deshotels

Dunlap

Duval

Elkins

Flory

Total—31.

Hardee

Haynes

Jack

Jackson, A.

Jackson, J.

Lambert

LeBloue

Leithman

McDaniel

McKee

Mire

Mire

Munson

Newton

Nunez

O’Neill

Rheung

Robinson

Singlesby

Stagg

Stephenson

Tapper

Wisham

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 25, Section 20, was read, as amended.

Delegate A. Jackson moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

Delegates—

Alario

Anzalone

Asseff

Avant

Bollinger

Bolleur

Cannon

Charlatin

Cowen

Deshotels

Dunlap

Elkins

Ginn

Total—34.

Grier

Hayes

Heine

Hernandez

Jenkins

Kelly

Kilbourne

Kilpatrick

Landry, A.

Landry, E. J.

Martin

Miller

Sandoz

Singlesby

Sullivan

Tate

Thistlethwaite

Tobias

Toca

Toomcy

Ulo

Velasquez

Vick

Warren

Weiss

Wfell

Winchester

Zervigon

Delegates—

Aeriker

Bullem

Burns

Cannon

Champagne

Chataignier

Conroy

Corne

Cowen

D’Gerolamo

Deshotels

Dunlap

Duval

Elkins

Flory

Total—25.

Rheung

Segura

Shannon

Silverberg

Slay

Sinon

Thompson

Wall

Womack
45th Day’s Proceedings—September 12, 1973

Delegates—
Mr. Chairman
Abraham
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Berry
Bellinger
Brien
Brown
Burns
Busen
Burson
Cannon
Casey
Champagne
Chatelain
Comar
Conroy
Corne
Cowan
D’Gerolamo
De Blieux
Deshotels
Drew
Dunlap
Duval
Elkins
Flory
Fontenot
Fowler
Total—100.

NAYS
Landrum
Total—5.

ABSENT
Delegates—
Aerker
Alario
Blair
Carmouche
Chehardy
Conino
Dennery
Dennis
Derbes
Edwards
Fayard
Total—29.

And the Chair declared that the above Section was passed. Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 21. Writ of Habeas Corpus
Section 21. The writ of habeas corpus shall not be suspended.

Read.

Passage
Delegate A. Jackson moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Mr. Chairman
Abraham
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Casey
Champagne
Chatelain
Comar
Conroy
Corne
Cowan
D’Gerolamo
De Blieux
Deshotels
Drew
Dunlap
Duval
Elkins
Flory
Fontenot
Fowler
Fulco
Gauthier
Ginn
Goldman
Gravel
Grier
Guirasco
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Juneau
Keen
Kelly
Kilbourne
Kilpatrick
Langley
Landy, A.
Landy, E. J.
Lanier
Leigh
Lennox
Lowe
Marlin
Mauerberret
Miller
Mire
Munson
Newton
Nunex
O’Neill
Ousso
Perez
Perkins
Planchard
Rayburn
Reeves
Robinson
Roemer
Sandos
Schmitt
Segura
Singletary
Smith
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tepper
Taylor
Thistlethwaite
Tobias
Toca
Toomey
Ully
Velazquez
Vesich
Vick
Vick
Vick
Vick
Vick
Wattigny
Weiss
Wells
Wells
Winchester
Wisdom
Wisdom
Womack
Riecke
Segura
Shannon
Silverberg
Stovall
Stimson
Thompson
Wall
Womack

Gravel
Grier
Guirasco
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Juneau
Keen
Kelly
Kilbourne
Kilpatrick
Langley
Landy, A.
Landy, E. J.
Lanier
Leigh
Lennox
Lowe
Marlin
Mauerberret
Miller
Mire
Munson
Newton
Nunex
O’Neill
Ousso
Perez
Perkins
Planchard
Rayburn
Reeves
Robinson
Roemer
Sandos
Schmitt
Segura
Singletary
Smith
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tepper
Taylor
Thistlethwaite
Tobias
Toca
Toomey
Ully
Velazquez
Vesich
Vick
Vick
Vick
Vick
Wattigny
Weiss
Wells
Wells
Winchester
Wisdom
Wisdom
Womack

NAYS
Total—106.

NAYS
Total—0.

ABSENT
Delegates—
Aerker
Alario
Blair
Carmouche
Chehardy
Conino
Dennery
Dennis
Derbes
Edwards
Fayard

Total—26.

And the Chair declared that the above Section was passed. Delegate Willis moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 22. Access to Courts
Section 22. All courts shall be open, and every person shall have an adequate remedy by due process of law and justice, administered without denial, partiality, or unreasonable delay for actual or threatened injury to him in his person, property, reputation, or other rights. Neither the state, its political subdivisions, nor any private person shall be immune from suit and liability.

Read.

Delegate Conroy sent up a floor amendment which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Conroy to Committee Proposal No. 25 by Delegate Jackson, et al.
Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 1, after the word “rights,” delete the remainder of the line and delete lines 2 and 3 both inclusive in their entirety.

Delegate Conroy moved the adoption of the amendment.
Delegate De Blieux objected.

By a vote of 78 yeas and 17 nays the amendment was adopted.
Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Arnette to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 32, after the word “for” and before the word “injury” delete the words “actual or threatened”

Delegate Arnette moved the adoption of the amendment.

Delegate Roy objected.

By a vote of 63 yeas and 34 nays the amendment was adopted.

Delegate Arnette moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 3, at the end of the line add the following: “No private person shall be immune from suit and liability except as otherwise provided in this Constitution.”

On motion of Delegate Avant the amendment was withdrawn.

**Passage**

Committee Proposal No. 25, Section 22, was read, as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrahams, Harold D'Gerolamo</td>
</tr>
<tr>
<td>Alario, Dennis De Bievre</td>
</tr>
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<td>Alexander, David Dennis</td>
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<td>Anzalone, Deshotels</td>
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<td>Arnette, Drew</td>
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<tr>
<td>Asseff, Dunlap</td>
</tr>
<tr>
<td>Avant, Duval</td>
</tr>
<tr>
<td>Badeaux, Ekins</td>
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<tr>
<td>Bel, Florio</td>
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<tr>
<td>Bergeron, Fontenot</td>
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<tr>
<td>Berry, Fowler</td>
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<tr>
<td>Blair, Fulso</td>
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<tr>
<td>Bolinger, Gauthier</td>
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<tr>
<td>Brien, Ginn</td>
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<tr>
<td>Burns, Goldman</td>
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<tr>
<td>Burson, Gravel</td>
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<tr>
<td>Cannon, Grier</td>
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<tr>
<td>Casey, Gursisco</td>
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<tr>
<td>Champagne, Hayes</td>
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<tr>
<td>Chastain, Helene</td>
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<tr>
<td>Connor, Hernandez</td>
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<td>Corbin, Jackson</td>
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<td>Corning, Jackson, A.</td>
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<tr>
<td>Corne, Jenkins</td>
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<tr>
<td>Cowen, Juneau</td>
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</table>

<table>
<thead>
<tr>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robinson, Stavall</td>
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<tr>
<td>Roemer, Sutherland</td>
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<td>Roy, Tate</td>
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<td>Sandez, Thistlethwaite</td>
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<td>Schmitt, Tobias</td>
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<td>Singletary, Toomy</td>
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<td>Smith, Ulio</td>
</tr>
<tr>
<td>Soniat, Velazquez</td>
</tr>
<tr>
<td>Stagg, Zervigon</td>
</tr>
</tbody>
</table>

Total—105.

NAYS—0.

**ABSENT**

Delegates—

Mr. Chairman—

<table>
<thead>
<tr>
<th>Mr. Chairman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hannibal Giarrusso</td>
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<td>Aikens, Hardee</td>
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<td>Brown, Haynes</td>
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<td>Carmouche, Jackson, J.</td>
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<td>Chehardy, LeBlue</td>
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<td>Dennery, Leithman</td>
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<td>Derbes, McDaniel</td>
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<td>Edwards, Miller</td>
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<tr>
<td>Fayard, Pugh</td>
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<tr>
<td>Total—27.</td>
</tr>
</tbody>
</table>

Delegate A. Jackson moved to reconsider the vote by which the amendment was adopted, and, on his own motion, the motion to reconsider was laid on the table.

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the amendment was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Kean, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Motion**

On motion of Delegate Zervigon the Rules were suspended in order to call a meeting of the Committee on Legislative Transitional Measures without giving the required 24 hours notice.

**COMMITTEE NOTICE**

Delegate Zervigon, vice-chairperson of the Committee on Legislative Liaison and Transitional Measures, sent the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Wednesday, September 12, 1973, upon adjournment in the Convention Hall and will consider the following agenda:

**AGENDA**

Election of new committee officers.

Respectfully submitted,

MARY KELLER ZERVIGON
Vice-Chairperson of the Committee on Legislative Liaison and Transitional Measures.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate A. Jackson, Jr., chairman of the Committee on Bill of Rights and Elections, sent the following notice:

The Committee on Bill of Rights and Elections will meet on Thursday, September 13, 1973, at 9:00 o'clock A.M. in Committee Room No. 1 and will consider the following agenda:

**AGENDA**

Agenda previously announced.

Respectfully submitted,

ALPHONSE JACKSON, JR., Chairman of the Committee on Bill of Rights and Elections.

The above notice was read in open session and publicly posted.
AGENDA
To consider proposals referred to the committee.
Respectfully submitted,

TOM STAGG,
Chairman of the Committee on Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, September 13, 1973, at 9:00 o'clock A.M. in Committee Room 205 and will consider the following agenda:

AGENDA
To consider proposals referred to the committee.
Respectfully submitted,

ROBERT J. AERTKER,
Chairman of the Committee on Education & Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Thursday & Friday, September 13 & 14, 1973, at 9:00 o'clock A.M. in Committee Room 4 and will consider the following agenda:

AGENDA
To consider proposals referred to the committee.
Respectfully submitted,

B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance & Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Lambert, chairman of the Committee on Natural Resources and Environment, sent up the following notice:

The Committee on Natural Resources and Environment will meet on Thursday & Friday, September 13 & 14, 1973, at 9:00 o'clock A.M. in Committee Room 10 and will consider the following agenda:

AGENDA
To consider proposals referred to the committee.
Respectfully submitted,

LOUIS LAMBERT, JR.,
Chairman of the Committee on Natural Resources & Environment

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Thursday, September 13, 1973 and Friday, September 14, 1973, at 10:00 o'clock A.M. in Committee Room 9 and will consider the following agenda:

AGENDA
To consider proposals referred to the committee.
Respectfully submitted,

CHALIN O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Lanier, chairman of the Sub-Committee on Transitional Measures for Local and Parochial Government, sent up the following notice:

The Sub-Committee on Transitional Measures for Local and Parochial Government will meet on Thursday, September 13, 1973, after adjournment of Committee on Local and Parochial Government in Committee Room 9, and will consider the following agenda:

AGENDA
To consider:
Disposition of provisions of the 1921 Constitution not included in Committee Proposal.
Respectfully submitted,

WALTER I. LANIER, JR.,
Chairman of the Sub-Committee on Transitional Measures for Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Chedard—1 day.
Delegate Stinson—1 day.
Delegate Thompson—1 day.
Delegate Riekkö—2 days.
Delegate Denney—1 day.
Delegate Leithman—1 day.
Delegate Aertker—½ day.
Delegate Haynes—Indefinite.
Delegate Pugh—

Adjournment
Delegate Blair moved that the Convention do now adjourn until Thursday, September 13, 1973 at 1:00 o'clock P.M.
Which motion was agreed to.
And Vice-Chairman Casey declared the Convention adjourned to Thursday, September 13, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. PONYER
Chief Clerk
The roll being called, the following delegates answered to their names:

**PRESENT**

Delegates—
Mr. Chairman
Abraham
Aerker
Alario
Alexander
Anzalone
Arnette
Assef
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Conley
Considine
Corang
Corne
Cownen
D'Gerolamo
De Blicex
Deen
Dennis
Derbes
Deshields
Drew
Dunlap
Duval
Edward
Elkins
Fayard
Flory

Perez
Forbes
Pulcro
Gauthier
Ginn
Goldman
Gravel
Grier
Gurisco
Hardee
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Lehigh
Leithman
Lennox
Lowe
McDaniel
Martin
Mauberret
Miller
Mire
Monson
Newent
Nunez
O'Neill
Outre

Planchard
Pugh
Rachal
Rayburn
Reeves
Robinson
Roberson
Roy
Sandoz
Schmit
Singletary
Slay
Smith
Soniat
Slagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ulo
Velasquez
Vesich
Vick
Wall
Warren
Wattigny
Wells
Winchester
Wisham
Womaack
Zervigon

**ABSENT**

Delegates—
Chehardy
Giarusso
Haynes

Riecke
Segura
Shannon
Silverberg

The Chairman announced that there were 125 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Stovall.

**Pledge of Allegiance**

Delegate E. J. Landry led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Delegate Velazquez, the reading of the Journal was dispensed with.

On motion of Delegate Velazquez, the Journal of yesterday was adopted.

**Morning Hour**

**Reports of Committees**

The following reports of committees were received and read:

Delegate Stovall, chairman, on behalf of the Committee on Rules, Credentials and Ethics, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Rules, Credentials and Ethics to submit the following report:

**DELEGATE RESOLUTION No. 36—**

Introduced by Delegate Segura:

A RESOLUTION

To amend Rule No. 33 and Rule No. 36 of the Standing Rules of the Constitutional Convention and to allow proxy voting under certain conditions.

Reported unfavorably.

**DELEGATE RESOLUTION No. 37—**

Introduced by Delegate Burson:

A RESOLUTION

To amend the Standing Rules of the Constitutional Convention to add a new Rule to require committee action on any proposed new Section to a Committee Proposal.

Reported Unfavorably.

**DELEGATE RESOLUTION No. 38—**

Introduced by Delegate Burson:

A RESOLUTION

To amend the Standing Rules of the Constitutional Convention to prohibit amendments in conflict with Sections previously adopted by the convention.

Reported unfavorably.

**DELEGATE RESOLUTION No. 39—**

Introduced by Delegate Zervigon:

A RESOLUTION

To amend Rule No. 78 of the Standing Rules of the Constitutional Convention to provide that delegates not voting, rather than absentees, shall be listed separately.

Reported favorably.

**DELEGATE RESOLUTION No. 40—**

Introduced by Delegate Casey:

A RESOLUTION

To amend and readopt Paragraph 2 of Rule Number 56 of the Standing Rules of the Constitutional Convention to require that the recommendations of the Committee on Style and Drafting on proposals adopted be submitted to the substantive committee involved prior to report to the convention.

Reported favorably.

Respectfully submitted,

JAMES L. STOVALL
Chairman.
46th Day's Proceedings—September 13, 1973

Suspension of the Rules

On motion of Delegate Stovall the rules were suspended in order to take up the Resolutions contained in the Committee Report at this time.

Delegate and Committee
Resolutions on Second Reading
Reported by Committees

The following entitled Delegate and Committee Resolutions reported by Committees were taken up and acted upon as follows:

**DELEGATE RESOLUTION No. 36—**

Introduced by Delegate Segura:

To amend Rule No. 33 and Rule No. 36 of the Standing Rules of the Constitutional Convention and to allow proxy voting under certain conditions.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Segura the Resolution was withdrawn from the files of the Convention.

**DELEGATE RESOLUTION No. 37—**

Introduced by Delegate Burson:

To amend the Standing Rules of the Constitutional Convention to add a new Rule to require committee action on any proposed new Section to a Committee Proposal.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Burson the Resolution was withdrawn from the files of the Convention.

**DELEGATE RESOLUTION No. 38—**

Introduced by Delegate Burson:

To amend the Standing Rules of the Constitutional Convention to prohibit amendments in conflict with Sections previously adopted by the convention.

Reported unfavorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Burson the Resolution was withdrawn from the files of the Convention.

**DELEGATE RESOLUTION No. 39—**

Introduced by Delegate Zervigon:

To amend Rule No. 78 of the Standing Rules of the Constitutional Convention to provide that delegates not voting, rather than absentees, shall be listed separately.

Reported favorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Zervigon the Resolution was ordered engrossed and passed to its third reading.

**DELEGATE RESOLUTION No. 40—**

Introduced by Delegate Casey:

To amend and readopt Paragraph 2 of Rule Number 50 of the Standing Rules of the Constitutional Convention to require that the recommendations of the Committee on Style and Drafting on proposals adopted be submitted to the substantive committee involved prior to report to the convention.

Reported favorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Casey the Resolution was ordered engrossed and passed to its third reading.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment of yesterday was taken up and acted on:

**Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 25—**

Introduced by Delegate A. Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weise):

A PROPOSAL

To provide a preamble and a declaration of rights to the constitution.

Reported favorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Casey the Resolution was ordered engrossed and passed to its third reading.

**Section 23. Prohibited Laws

Section 23. No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be enacted.

Reported favorably by the Committee on Rules, Credentials and Ethics.

On motion of Delegate Casey the Resolution was ordered engrossed and passed to its third reading.

**Passage

Delegate Roy moved the passage of the Section.

**ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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</thead>
<tbody>
<tr>
<td>Delegates—</td>
</tr>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Aertker</td>
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<tr>
<td>Alario</td>
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<td>Alexander</td>
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<td>Anzalone</td>
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<td>Blair</td>
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<td>Bollinger</td>
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<td>Brien</td>
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<td>Burns</td>
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<td>Chatelain</td>
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<td>Deshotels</td>
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<tr>
<td>Drew</td>
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<tr>
<td>Dunlap</td>
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</tbody>
</table>
And the Chair declared that the above Section was passed.

Delegate Roy moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 24. Freedom of Commerce

Section 24. No law shall impair the right of each person to engage in commerce by controlling the production, distribution, or price of goods, except when necessary to protect public health and safety.

Read.

Delegate Flory sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 23 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 7 through 11, both inclusive, in their entirety.


Delegate Flory moved the adoption of the amendment.

Delegate Womack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Yeas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bel</td>
<td>Chatelain</td>
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<tr>
<td>Bergen</td>
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<tr>
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**NAYS**

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<tbody>
<tr>
<td>Kilpatrick</td>
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<td>Zervigon</td>
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**ABSENT**

<table>
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<tbody>
<tr>
<td>Jackson, A.</td>
<td>Roemer</td>
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<td>Riecke</td>
<td>Vesich</td>
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<td>Segura</td>
<td>Vick</td>
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</tbody>
</table>

And the amendment was adopted.

Delegate Jack sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jack to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 12 through 15, both inclusive in their entirety, and insert in lieu thereof the following:

“Section 25. This enumeration of rights shall not be construed to deny or impair other rights of the people not herein expressed.”

Delegate Jack moved the adoption of the amendment.

Delegate A. Jackson objected.

By a vote of 46 yeas and 69 nays, the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

PASSAGE

Committee Proposal No. 25, Section 25, was read.
Delegate Roy moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fulco</td>
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<tr>
<td>Aertker</td>
<td>Gauthier</td>
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<td>Hayes</td>
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<td>Berry</td>
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<td>Jackson, A</td>
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<td>Bollinger</td>
<td>Jackson, J</td>
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<td>Bren</td>
<td>Jenkins</td>
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<tr>
<td>Burns</td>
<td>Juneau</td>
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<td>Burson</td>
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<td>Cannon</td>
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<td>Carmouche</td>
<td>Kilpatrick</td>
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<tr>
<td>Casey</td>
<td>Lambert</td>
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<td>Chateian</td>
<td>Landry, E.J.</td>
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<td>Cowen</td>
<td>McDaniel</td>
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<td>Velazquez</td>
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<td>Warren</td>
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<td>Weil</td>
<td>Winchester</td>
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<td>Wisham</td>
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<tr>
<td>Womack</td>
<td>Zervigon</td>
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</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Fowler</td>
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<td>Anzalone</td>
<td>Jack</td>
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<td>Willis</td>
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ABSENT

<table>
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<th>Delegates</th>
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<tbody>
<tr>
<td>Alexander</td>
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<td>Brown</td>
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<td>Chehardy</td>
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</table>

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Warren sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate E. J. Landry, Landrum, Riecke, J. Jackson, Planchar, Juneau, Kilpatrick, Velazquez, and Alario to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, between lines 3 and 4, insert the following:
"Section 22.1. The legislature shall provide for adequate compensation for persons imprisoned for crimes which they are proven subsequently not to have committed."

On motion of Delegate Warren the Amendment was withdrawn.

Delegate Hayes sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Hayes to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, between lines 15 and 16, insert the following:
"Section 26. Prohibited Penalties
Section 26. No penalty, other than that provided by laws, shall apply to any conviction for an offense."

Delegate Hayes moved the adoption of the amendment.
Delegate Stagg objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

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<th>Delegates</th>
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<td>Avant</td>
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<td>Hayes</td>
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<td>Heine</td>
<td>Reeves</td>
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<td>Jackson, A</td>
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<td>Total—31.</td>
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NAYS

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</table>

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Warren sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates E. J. Landry, Landrum, Riecke, J. Jackson, Planchar, Juneau, Kilpatrick, Velazquez, and Alario to Committee Proposal No. 25 by Delegate A. Jackson, et al.
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Delegates—
Mr. Chairman
Aerkier
Alexander
Bollinger
Chehardy
Comar
Dennis
Fulco
Gaarrusso
Total—25.

Delegates—
Ginn
Haynes
Kelly
Leigh
Nunez
Perez
Pugh
Riecke

The amendment having failed to receive a majority vote of the total membership of the Convention, required to pass a Section to a Committee Proposal, failed to pass.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Brien sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Brien to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, line 16, add the following section:

"Section 26. The legislature shall create consumer education and information councils, which shall provide consumer representation for the interest of consumers throughout the state in hearings before any board, commission, department, or agency of the state or any political subdivision thereof and which shall exercise such other powers and duties as are fixed by law."

Delegate Brien moved the adoption of the amendment.

Delegate Goldman objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Gravel
Heine
Jackson, A.
Jackson, J.
Landrum
Landry, E. J.
Lanier
Leithman
Mauberret
Miller
O’Rourke
Perez
Perkins
Pugh
Reaves
Roemer
Roy
Schmitt
Soniat
Stephenson
Stovall
Sutherland
Tapper
Thompson
Tobias
Toca
Velazquez
Wall
Warren
Weiss
Winchester
Wisdom

NAYS

Burns
Burson
Cannon
Marcheouche
Casey
Champagne
Chateilain
Conino
Cowen
Cowen
Dennis
Drew
Dunlap
Duval
Dund
Duval

Fowler
Gauthier
Goldman
Grier
Guarisco
Hardee
Hayes
Henderson
Jack
Jenks
Juneau
Kean
Kilbourne
Kilpatrick
Total—64.

Delegates—
Hayes
Kilbourne
Kilpatrick

The amendment having failed to receive a majority vote of the total membership of the Convention, required to pass a Section to a Proposal, failed to pass.

Delegate Goldman moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 15 and 16 insert the following section:

"Section 26. Powers not Specifically Granted Section 26. All powers not specifically granted to government by this constitution are reserved to the people, and government has no implied or inherent powers."

Delegate Avant moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Ginn
Jenkins
Kilbourne
McDaniel
Newton
O’Neill
Pugh
Stinson
Stovall

NAYS

Abraham
Alario
Anzalone
Arnette
Assiff
Bel
Bergeron
Blair
Bollinger
Casey
Champagne
Chateilain
Conino
Conroy
Corre
Cowen
D’Gerolamo
De Blieux
Denney

Delegates—
Abraham
Alario
Anzalone
Arnette
Assiff
Bel
Bergeron
Blair
Bollinger
Edwards
Fayard
Fontenot
Fowler
Fulco
Gauthier
Goldman
Gravel
Grier
Guarisco
Hardee
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.

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Juneau
Kean
Kelly
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leithman
Lennox
Lowe
Mauberret
Miller
Mire
Munson
Ourso
Total—99.

ABSENT

Delegates—
Mr. Chairman
Aertker
Alexander
Chehardy
Giarrusso
Hayes
Haynes
Total—19.

Lambert
Leigh
Martin
Nunez
Riecke
Segura
Shannon
Silverberg
Vesin
Vick
Wall
Warren

The amendment having failed to receive a majority vote of the membership of the Convention, required to pass a Section to a Proposal, failed to pass.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 15 and 26, insert the following: “Section 26.1. Right to Property. Section 26.1. Except as otherwise provided by this constitution, private property shall not be taken or damaged except for a necessary public purpose and unless just and adequate compensation is paid. The right to trial by jury to determine such compensation shall not be denied.”

Point of Order

Delegate Conroy suggested that the amendment contained the same subject matter contained in Committee Proposal No. 25, Section 4, and was therefore out of order at this time and asked a Ruling from the Chair.

Ruling of the Chair

The Chair ruled that the amendment was out of order at this time.

Motion

Delegate Tobias moved for a suspension of the rules in order to call from the table the Motion to reconsider the vote by which Committee Proposal No. 25, Section 4, was tabled.

Delegate Avant objected.

By a vote of 71 ayes and 39 nays the rules were suspended.

Motion

Delegate Tobias moved to reconsider the vote by which Committee Proposal No. 25, Section 4, was passed on August 30, 1973.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

LeBlanc
Lanier
Landry, A.
Landry, E. J.
Lanier
Lennox
Low
Mauberret
Miller
Mire
Munson
Ourso
Total—71.

Drew
Duval
Edwards
Fayard
Fowler
Gauthier
Grier
Heine
Jeneu
Kean
Kilbourne
Landry, A.
LeBlanc
Leithman
Lennox
Martin
Mauberret
Miller
Mire
Monson
Ourso
Perez
Perkins
Planchard
Perez
Perkins
Planchard
Perez
Perkins
Planchard
Perez
Perkins
Rachal
Rayburn
Sandoz
Schmitt
Sandy
Sandy
Sandy
Sandy
Sandy
Sandy
Sandy
Sandy
Sandy

NAYS

Goldman
Gravel
Guarisco
Hardee
Hayes
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Kelly
Kilpatrick
Landry, E. J.
LeBlanc
Lowe
McDaniel
Newton
O'Neill
Robinson
Roemer
Roy
Smith
Soniat
Stephenson
Stinson
Ullo
Warren
Weiss
Wisham
Fug

ABSENT

Landrum
Leigh
Nunez
Reeves
Riecke
Segura
Shannon
Silverberg
Vick
Wall

And the vote by which Committee Proposal No. 25, Section 4 was passed, was reconsidered.

Delegate Tobias sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, strike out lines 3 through 29 both inclusive including all Floor Amendments thereto and Floor Amendment No. 1 proposed by Mr. Perez and adopted by the Convention on August 30, 1973, which added language between lines 29 and 30.

“Section 4. Right to Property

Section 4. Except as otherwise provided by this constitu-
tion, private property shall not be taken or damaged except for a necessary public purpose and unless just and adequate compensation is paid. The right to trial by jury to determine such compensation shall not be denied."

Delegate Tobias moved the adoption of the amendment.

Delegate A. Jackson objected.

By a vote of 41 yeas and 71 nays the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lanier sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Lanier, Jenkins, Heine, Chatelain, Bursch and A. Jackson to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 13 through 29, and strike out Floor Amendment No. 1 proposed by Delegate Perez and adopted by the Convention on August 30, 1973, which added language on page 2, between lines 29 and 30 both inclusive and all floor amendments thereto in their entirety and insert in lieu thereof the following:

"Section 4. Right to Property

Section 4. Every person has the right to acquire, control, own, use, enjoy, protect, and dispose of private property. This right is subject to reasonable statutory restrictions and the reasonable exercise of the police power. Property shall not be taken or damaged by the state or its political subdivisions except for public purposes and with just compensation paid to the owner or into court for his benefit. Property shall not be taken or damaged by any private entity authorized by law to expropriate property, except for a public and necessary purpose and with just compensation paid to the owner and, in such proceedings, the issue of whether the purpose is public and necessary shall be a judicial question. In all expropriations, any party shall have the right to trial by jury to determine compensation and the owner shall be compensated to the full extent of his loss. No business enterprise or any of its assets shall be taken for the purpose of operating that enterprise or for the purpose of halting competition with government enterprises, except that municipalities may expropriate utilities within their jurisdiction. Personal effects, other than contraband, shall never be taken. The provisions of this Section shall not apply to appropriation of property necessary for levee and levee drainage purposes."

Delegate Lanier moved the adoption of the amendment.

Delegate Pugh objected.

By a vote of 82 yeas and 26 nays the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate O'Neill moved the previous question on the Section.

Delegate Tate objected.

By a vote of 18 yeas and 85 nays the Convention refused to order the previous question.

Delegate Tate sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Tate to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 13 through 29, both inclusive and all floor amendments there to in their entirety and insert in lieu thereof the following:

"Section 4. Right to Property

Section 4. Private property shall not be taken or damaged except for a public purpose and unless just and adequate compensation is paid."

**AMENDMENT No. 2—**

On page 2, between lines 29 and 30 delete Floor Amendment No. 1 proposed by Delegate Perez and adopted by the Convention on August 30, 1973.

Delegate Tate moved the adoption of the amendments.

Delegate Chatelain objected.

By a vote of 36 yeas and 61 nays the amendments were rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Guarisco sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Guarisco to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 13, in Floor Amendment No. 1 proposed by Delegates Lanier, et al. and adopted by the Convention on September 13, 1973 on line 23, immediately after the word and punctuation "taken," delete the remainder of the line and delete lines 24 and 25 in their entirety.

On motion ofDelegate Guarisco the amendment was withdrawn.

**Passage**

Committee Proposal No. 25, Section 4, was read, as amended.

Delegate A. Jackson moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Dunlap</td>
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<td>Alario</td>
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<td>Bollinger</td>
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<td>Guarisco</td>
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<td>Harens</td>
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<td>Burns</td>
<td>Hayes</td>
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<td>Burson</td>
<td>Heine</td>
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<td>Cannon</td>
<td>Hernandez</td>
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<td>Chatelain</td>
<td>Jackson, A.</td>
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<td>Comar</td>
<td>Jackson, J.</td>
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<td>Conino</td>
<td>Jenkins</td>
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<td>Conroy</td>
<td>Juneau</td>
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<td>Cowen</td>
<td>Kelly</td>
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<td>D'Gerolamo</td>
<td>Kilpatrick</td>
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<td>De Bleux</td>
<td>Landrum</td>
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<tr>
<td>Dennery</td>
<td>Landry, E. J.</td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
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<th>Nays</th>
</tr>
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<td>Lanier</td>
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<tr>
<td>LeBleu</td>
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<td>O'Neill</td>
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<td>Perez</td>
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<tr>
<td>Stagg</td>
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<tr>
<td>Stinson</td>
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</tr>
</tbody>
</table>
46th Day’s Proceedings—September 13, 1973

Tapper
Thistledwaite
Thompson
Toca
Toony
Total—85.

Delegates—
Arnette
Carmouche
Casey
Champagne
Corne
Dennis
Debes
Drew
Total—22.

Delegates—
Mr. Chairman
Aertker
Alexander
Chehardy
Deshotel
Edwards
Giarrusso
Ginn
Haynes
Total—25.

NAYS
Fowler
Keen
Kilbourne
Newton
Perkins
Roemer
Sandoz
Singletary
Stovall
Sutherland
Tate
Tobias
Velazquez
Zervigon

ABSENT
Lambert
Leigh
Martin
Miller
Monson
Nunez
Ourso
Richee
Segura
Shannon
Silverberg
Stephenson
Vick
Wall
Womack

And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and to lay the motion to reconsider on the table.

Delegate De Bieux objected to tabling the motion to reconsider.

By a vote of 76 yeas and 32 nays the motion to reconsider was tabled.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Gravel and Berry to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amendment reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, between lines 15 and 16, insert the following:

“Section 26. Freedom from Discrimination

Section 26. In access to public areas, accommodations, and facilities every person shall have the right to be free from discrimination based on race, religion, or national ancestry and from arbitrary, capricious, or unreasonable discrimination based on age, sex, or physical condition.”

Delegate Gravel moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Mr. Chairman
Abraham
Anzalone
Avant
Badeaux
Bel
Berry
Blair
Bollinger
Brown
Burns
Burson
Carmouche
Casey
Chamagne
Chatelain
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Bieux
Dennery

**NAYS**

Delegates—
Kean
Kelly
Landrum
Landry, E. J.
Langler
Lennox
Lowe
Mauberret
Newton
Perkins
Pugh
Rachal
Rayburn
Robinson
Roemer
Roy
Sandoz
Schmitt
Singletary

**ABSENT**

Delegates—
Jenkins
Kilpatrick
LeBlanc
Leithman
Martin
Miller
Monson
Nunez
Ourso
Reeves
Richee
Segura
Shannon
Silverberg
Tapper
Toomy
Vick
Wall
Velazquez
Womack

The amendment having received a majority vote of the total membership of the Convention, necessary to pass a Section to a Proposal, was passed.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amendment reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 16 add the following at the end of the language added by Floor Amendment No. 1 proposed by Mr. Gravel, et al, and adopted by the Convention on September 13, 1973.

“Nothing herein shall be construed to impair freedom of association.”

Delegate Jenkins moved the adoption of the amendment.

Delegate Roemer objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Anzalone
Arnette
Assel
Berry
Blair
Bollinger

476
46th Day's Proceedings—September 13, 1973

Cannon Cannon
Carmouche Carmouche
Conroy Conroy
Corne Corne
Drew Drew
Dunlap Dunlap
Duval Duval
Elkins Elkins
Fayard Fayard
Fontenot Fontenot
Fowler Fowler
Grier Grier
Guarisco Guarisco
Heine Heine
Hernandez Hernandez
Total—50.

NAYS

Delegates—
Mr. Chairman
Dennis
Debres
Flory
Fulco
Gauthier
Ginn
Goldman
Gravel
Hardee
Hayes
Jackson, A.
Jackson, J.
Kelly
Kilpatrick
Landrum
Landry, E. J.
Mauberret
Newton

Perkins
Pianchard
Pugh
Rachal
Roemer
Sandoz
Schmitt
Soniat
Stagg
Stovall
Tate
Thompson
Toca
Velasquez
Warren
Zervigon

Lennox
Lowe
Mauberret
Newton
Perkins
Pianchard
Pugh
Rachel
Rayburn
Roemer
Sandoz
Schmitt
Singletary
Slay
Smith
Stephenson
Stinson
Sutherland
Tapper
Tate
Thompson
Tobias
Toca
Toomey
Ulo
Velasquez
Vesich
Warren
Wattigny
Weiss
Willis
Winchester
Zervigon

NAYS

Delegates—
Cannon
Carmouche
Conroy
Corne
Drew
Dunlap
Elkins
Total—15.

McDaniel
Heine
Jenkins
Kilbourne
LeBlue

Perez
O'Neill
Perkins
Thistlethwaite

ABSENT

Delegates—
Aertker
Alario
Alexander
Chehardy
Comar
Deshots
Edwards
Gaillard
Hayes
Lambert
Total—29.

Landry, A.
Leigh
Leithman
Martin
Miller
Mire
Munson
Nunez
Oursi
Reeves
Riecke
Robinson
Segura
Shannon
Silverberg
Vick
Wall
Wisham
Womack

And the Chair declared that the above Section was passed.

Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Warren sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Warren and Jack to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 3 and 4, insert the following:

"Section 22.1 Right to Compensation
Section 22.1 The legislature shall provide for adequate compensation for persons convicted and imprisoned for crimes which they are proven subsequently not to have committed provided the person did not by perjury contribute to his own conviction."

Motion

Delegate Roy moved the previous question on the amendment.

Delegate Stovall objected.

By a vote of 41 yeas and 52 nays the Convention refused to order the previous question.

Delegate Warren moved the adoption of the amendment.

Delegate Fontenot objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:
46th Day’s Proceedings—September 13, 1973

The Committee on Bill of Rights and Elections, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:
I am directed by your Committee on Bill of Rights and Elections to submit the following report:

DELEGATE PROPOSAL No. 59—
Introduced by Delegate Haynes:
A PROPOSAL
Making provisions for freedom from discrimination.
Reported unfavorably.

DELEGATE PROPOSAL No. 74—
Introduced by Delegates Gravel and Berry:
A PROPOSAL
Providing for freedom from discrimination.
Reported unfavorably.

Respectfully submitted,
ALPHONSE JACKSON, Jr.
Chairman.

Delegate Zervigon, chairperson, on behalf of the Committee on Legislative Liaison and Transitional Measures, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:
I am directed by your Committee on Legislative Liaison and Transitional Measures to submit the following report:
The committee on Legislative Liaison and Transitional Measures at its meeting of September 12 elected the following officers:
Delegate Mary Zervigon Chairperson; Vice Delegate Edward LeBreton resigned.
Delegate Harmon Drew vice-chairman; Vice Delegate Zervigon.

Respectfully submitted,
MARY KELLER ZERVIGON, Chairperson.

Leaves of Absence
Delegate Segura—3 days.
Delegate Chehardy—1 day.
Delegate Nunez—1½ day.
Delegate A. Landry—September 13, 1973 after 5:00 o'clock p.m.
Delegate Burns—September 13, 1973 after 6:20 o'clock p.m.

Adjournment
Delegate Blair moved that the Convention do now adjourn until Friday, September 14, 1973 at 1:00 o'clock P.M.
Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Friday, September 14, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

FORTY-SEVENTH DAYS PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Friday, September 14, 1973, Baton Rouge, La.

The Convention was called to order at 1:00 o’clock p.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman—
Mr. Abraham—
Mr. Acker—
Mr. Alario—
Mr. Alexander—
Mr. Arnette—
Mr. Asseff—
Mr. Avant—
Mr. Badeaux—
Mr. Bel—
Mr. Bergeron—
Mr. Berry—
Mr. Blair—
Mr. Bollinger—
Mr. Brien—
Mr. Brown—
Mr. Burns—
Mr. Burson—
Mr. Cannon—
Mr. Carmouche—
Mr. Casey—
Mr. Champagne—
Mr. Chatain—
Mr. Chehardy—
Mr. Comar—
Mr. Conino—
Mr. Conroy—
Mr. Corne—
Mr. Crum—
Mr. Cowen—
Mr. D’Gerolamo—
Mr. De Blieux—
Mr. Dennery—
Mr. Dennis—
Mr. Derbes—
Mr. Deshotels—
Mr. Drew—
Mr. Dunlap—
Mr. Duval—
Mr. Edwards—
Mr. Eikins—
Mr. Fayard—

Flory—
Fontenot—
Fowler—
Fulco—
Gauthier—
Ginn—
Goldman—
Gravel—
Grier—
Guerisco—
Hardee—
Hayes—
Heine—
Hernandez—
Jack—
Jackson, A.—
Jackson, J.—
Jenkins—
Jenaeu—
Kean—
Kelly—
Kilbourne—
Kilpatrick—
Lambert—
Landrum—
Landry, A.—
Landry, E. J.—
Lanier—
LeBleu—
Leigh—
Leithman—
Lennox—
Lowe—
McDaniel—
Martin—
Miller—
Mire—
Munson—
Newton—
Nunez—
O’Neill—

Ousso—
Perez—
Perkins—
Planchard—
Pugh—
Rachal—
Rayburn—
Reeves—
Robinson—
Roemer—
Roy—
Sandoz—
Schmitt—
Skeletal—
Slay—
Smith—
Soniat—
Stagg—
Stephenson—
Stinson—
Stovall—
Sutherland—
Tappier—
Thistlewaite—
Thompson—
Tejas—
Teja—
Teomy—
Ulio—
Velazquez—
Vick—
Warren—
Wattigny—
Weiss—
Willis—
Winchester—
Wisham—
Womack—
Zer Zig- gon—

The roll being called, the following delegates answered to their names:

Mr. Riecke—
Mr. Segura—
Mr. Shannon—
Mr. Silverberg—

Prayer
Prayer was offered by Delegate De Blieux.

Pledge of Allegiance
Delegate Elkins led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal
On motion of Delegate Cowen, the reading of the Journal was dispensed with.

On motion of Delegate Cowen, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees Lying Over
Delegate and Committee
Proposals on Second Reading
Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 59—
Introduced by Delegate Haynes:
A PROPOSAL
Making provisions for freedom from discrimination.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.

DELEGATE PROPOSAL No. 74—
Introduced by Delegates Gravel and Berry:
A PROPOSAL
Providing for freedom from discrimination.
Read.
Reported unfavorably by the Committee on Bill of Rights and Elections.

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 25—
Introduced by Delegate A. Jackson, Chairman. Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 2, by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections, and Delegate Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):
A PROPOSAL
To provide a preamble and a declaration of rights to the constitution.
Read.
The chairman announced that the Convention had under consideration Committee Proposal No. 25 when it adjourned on Thursday, September 13, 1973, which was taken up and acted upon as follows:

Delegate Derbes sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Derbes to Committee Proposal No. 25 by Delegate A. Jackson, et al.
Amend reprinted as engrossed Proposal as follows:

The Chairman announced that there were 121 members present and a quorum.
47th Day's Proceedings—September 14, 1973

AMENDMENT No. 1—
On page 7, between lines 15 and 16, insert the following section:
“Section 27. Right to a Healthful Environment
Section 27. Consistent with the health, safety and welfare of all people, the people have a right to a healthful environment.”

Delegate Derbes moved the adoption of the amendment.
Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Bergeron
Comar
Conroy
De Blieux
Denery
Derbes
Deshotel
Dunlap
Fontenot
Soniat
Stovall
Sutherland
Tobias
Toomy
Uche
Velasquez
Vick
Warren
Zervigon

Total—32.

NAVS

Delegates—
Abraham
Aerkker
Arnette
Asseff
Avant
Badeaux
Bel
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chalelain
Chehardy
Conino
Conre
Cowan
D'Gerolamo
Drew
Duval
Elkins
O'Neil
Ours
Peres
Perkins
Planchar
Pugh
Rayburn
Roemer
Roy
Sandor
Schmitt
Slab
Smith
Stagg
Stephenson
Stinson
Tappor
Thistlewaite
Thompson
Toca
Wattigny
Wells
Willis
Winston
Wisham
Womack

Total—53.

The amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 7, line 16, add the following section:
“Section 26. Freedom of Association
Section 26. No law shall impair the right of each person to associate freely with others.”

Delegate Jenkins moved the adoption of the amendment.
Delegate Drew objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham
Aerkker
Arnette
Asseff
Avant
Badeaux
Bel
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chalelain
Chehardy
Conino
Conre
Cowan
D'Gerolamo
Drew
Duval
Elkins
O'Neil
Ours
Peres
Perkins
Planchar
Pugh
Rayburn
Roemer
Roy
Sandor
Schmitt
Slab
Smith
Stagg
Stephenson
Stinson
Tappor
Thistlewaite
Thompson
Toca
Wattigny
Wells
Willis
Winston
Wisham
Womack

Total—59.

NAVS

Delegates—
Alario
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chalelain
Chehardy
Conino
Conre
Cowan
D'Gerolamo
Drew
Duval
Elkins
Ginn
Haynes
Leigh
Mauberret
Rachal
Reeves
Riecke
Robinson
Segura
Shannon
Silverberg
Tate
Veslch
Wall

Total—20.

The amendment not having received a majority vote of the total membership of the Convention, required to pass a Section to a Proposal, failed to pass.

Delegate Womack moved to reconsider the vote by which
47th Day's Proceedings—September 14, 1973

the total membership of the Convention, required to pass a Section to a Proposal, failed to pass.

Delegate Drew moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Goldman sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Goldman to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, line 16, add the following section:

"Section 27. Trial by Jury in Civil Cases
Section 27. The right to trial by jury shall not be abridged in civil cases; however, the legislature may provide for exceptions to this right to trial by jury by a two-thirds vote of the elected members of each house of the legislature. Determination of facts by an administrative body shall be subject to review."

**Point of Order**

Delegate Tobias suggested that the contents of the amendment were the same as those contained in Committee Proposal No. 25, Section 8, therefore out of Order and asked a ruling of the Chair.

**Ruling of the Chair**

The Chair ruled that the amendment was in order.

Delegate Goldman moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>DELEGATES</th>
<th>YEAS</th>
<th>NAWS</th>
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<tr>
<td>Alexander</td>
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<td>Roy</td>
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<td>Stephenson</td>
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<td>Jackson, J.</td>
<td>Stinson</td>
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<td>Jenkins</td>
<td>Vick</td>
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<td>Warren</td>
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<td>Total—93.</td>
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**DELEGATES—**

Mr. Chairman

**ABSENT**

Maubernet

Mire

Riecke

Segura

Shannon

Silverberg

**DELEGATES—**

Planchar

Pugh

Rayburn

Reeves

Robinson

Roezer

Sendoz

Schmitt

Singletary

Total—93.

**DELEGATES—**

Mr. Chairman

Anzalone

Derbes

Garrison

Ginn

Haynes

Total—17.

The amendment not having received a majority vote of the total membership of the Convention, required to pass a Section to a Proposal, failed to pass.

Delegate Stovall moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Planchar sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**


Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 7, between lines 15 and 16, insert the following:

"Section 27. Right to Preliminary Examination
Section 27. In all felony cases, except those indicted by a grand jury, the right to a preliminary examination shall not be denied."

Delegate Planchar moved the adoption of the amendment.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>DELEGATES</th>
<th>YEAS</th>
<th>NAWS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
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<td>Sandoz</td>
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481
The roll was called with the following result:

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The amendment not having received a majority vote of the total membership of the Convention, required to pass a Section to a Proposal, was withdrawn.

Delegate Champlin moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

On motion of Delegate Pugh Amendment No. 2 was withdrawn.

### Passage

Committee Proposal No. 25, Section 27, was read.

Delegate Champlin moved the passage of the Section.

### ROLL CALL

The roll was called with the following result:

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The amendment not having received a majority vote of the total membership of the Convention, required to pass a Section to a Proposal, was withdrawn.

Delegate Champlin moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

On motion of Delegate Pugh Amendment No. 2 was withdrawn.

### Passage

Committee Proposal No. 25, Section 27, was read.

Delegate Champlin moved the passage of the Section.

### ROLL CALL

The roll was called with the following result:

### YEAS

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### ABSENT

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<td>Mr. Chairman</td>
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<td>Glenn</td>
<td>Schmitt</td>
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<td>Haynes</td>
<td>Segura</td>
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</tbody>
</table>
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Aertker
Alexander
Avant
Bergeron
Berry
Brien
Brown
Carmouche
Chatelain
Chehardy
Comar
Corne
Covin
D’Gerolamo
De Blieux
Dennery
Derbes
Drew
Dunlap
Duval
Edwards
Flory
Fontenot
Fowler
Fulco
Gauthier
Goldman
Gravel
Guarisco
Hardee
Hayes
Heine

Total—100.

Delegates—

Carmouche
Deshotels
Elkins
Fayard

Total—10.

**NAYS**

Delegates—

Abraham
Alario
Arnette
Asseff
Badeaux
Bel
Blair
Bollinger
Burns
Burson
Burton
Cannon
Casey
Champagne
Conino
Conroy
Dennery
Dennis
Derbes

Total—52.

**ABSENT**

Delegates—

Mr. Chairman
Anzalone
Giarrusso
Ginn
Haynes
Landrum
Mauberret

Total—22.

And the Chair declared that the above Section was passed.

Delegate Chehardy moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Gravel to Committee Proposal No. 25 by Delegate Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1**

On page 7, line 16, add the following: 

“Section 26. Trial by Jury in Civil Cases
Section 26. There shall be a right to trial by jury in civil cases. Except where the right to trial by jury is guaranteed by this constitution, however, the legislature may provide for exceptions to this right.”

**AMENDMENT No. 2**

On page 7, at the end the language added by Floor Amendment No. 1 hereof add the following:

“Determination of facts by an administrative body or by the jury shall be subject to review.

Delegate Gravel moved the adoption of the amendment.

Delegate Arnette objected.
adequate compensation for persons convicted and imprisoned for crimes which they are proven subsequently not to have committed provided the person did not by perjury contribute to his own conviction."

**Point of Order**

Delegate Arnette raised a point of order, and sought a ruling of the Chair as to whether the amendments were out of order, as having been previously considered.

**Ruling of the Chair**

The Chair declined to rule the amendment out of order at this time, and put the question to the Convention under the rules.

The question was put to declare the amendments to be in order.

By a vote of 47 yeas and 59 nays, the Convention determined the amendments to be out of order.

Delegate Warren sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Warren and Jack to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 3 and 4, insert the following:

"Section 22.1 The legislature shall provide for adequate compensation for persons convicted and imprisoned for crimes which they are proven subsequently not to have committed provided the person did not by perjury contribute to his own conviction."

**Point of Order**

Delegate Arnette raised a point of order, and sought a ruling of the Chair as to whether the amendment was out of order, as having been previously considered.

**Ruling of the Chair**

And the Chair ruled the amendment out of order, as the indental amendment was considered on the prior Convention day.

**Motion**

Delegate Kilbourne moved the previous question on the entire subject matter.

Delegate Kilbourne objected.

By a vote of 49 yeas and 62 nays and the Convention refused to order the previous question on the entire subject matter.

Delegate Velazquez sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Velazquez to Committee Proposal No. 25 by Delegate A. Jackson, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 3 and 4, insert the following:

"Section 22.1. The legislature shall provide adequate compensation for victims of felonies and for persons convicted and imprisoned for crimes which they are proven subsequently not to have committed, provided that such person did not by perjury contribute to his own conviction."

On motion of Delegate Velazquez the amendment was withdrawn.

**Motion**

Delegate Kilbourne moved for a suspension of the rules in order to call from the table the motion to reconsider the vote by which Committee Proposal No. 25, Section 12, was passed.

Delegate Avant objected.

By a vote of 44 yeas and 64 nays the Convention refused to suspend the rules at this time.

The Proposal was read, as amended.

Delegate A. Jackson moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

- Mr. Chairman
- Abraham
- Aertker
- Alario
- Alexander
- Arnette
- Avant
- Badeaux
- Bel
- Bergeron
- Berry
- Blair
- Bollinger
- Brien
- Brown
- Burns
- Casey
- Champagne
- Chelatin
- Chehardy
- Comer
- Conlon
- Conroy
- Corne
- Cowen
- De Blieux
- D’Gerolamo
- Denner
- Dennis
- Derbes

Total—98.

**NAYS**

Delegates—

- Heine
- Hernandez
- Kean
- Kilbourne
- Landrum
- Landry, A.
- Leight
- McDaniel
- Martin

Total—23.

**ABSENT**

Delegates—

- Anzalone
- Ciarruso
- Glenn
- Haynes
- LeBlu

Total—15.

And the Chair declared that the above Proposal was finally passed.

**Motion**

Delegate Chatelain moved that the Convention work on Saturday, September 19, 1973 and adjourn until Wednesday, September 22, 1973, at 9:00 o’clock P.M.

As a substitute Delegate Fulco moved that the Convention
work through Saturday, September 15, 1973 and adjourn until Wednesday, September 19, 1973, at 1:00 o’clock P.M.

The vote recurred on the substitute motion.

By a vote of 34 yeas and 72 nays the Convention refused to adjourn until Wednesday, September 19, 1973 at 1:00 o’clock P.M.

As a further substitute Delegate Nunez moved that when the Convention adjourned today it do so until Tuesday, September 18, at 1:00 o’clock P.M.

The vote recurred on the substitute motion.

By a vote of 20 yeas and 67 nays the Convention refused to adjourn until Tuesday, September 18, 1973 at 1:00 o’clock P.M.

Delegate Chatelain insisted upon his original motion.

By a vote of 88 yeas and 21 nays the Convention agreed to work Saturday, September 15, 1973, and adjourn until Wednesday, September 19, 1973, at 9:00 o’clock A.M.

Motion

On motion of Delegate Stagg, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Tom Stagg, chairman, on behalf of the Committee on the Executive Department, submitted the following report:

State of Louisiana

Constitutional Convention

of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on the Executive Department to submit the following report:

COMMITTEE PROPOSAL No. 5—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on the Executive Department:

A PROPOSAL

Making provisions for the Public Service Commission and necessary provisions with respect thereto.

Reported with amendments.

COMMITTEE PROPOSAL No. 19—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on the Executive Department and Delegates Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Den- nery, Duval, Gravel, Stovall and Tapper:

A PROPOSAL

Making provisions in the Schedule provisions of the Constitu- tion for mandatory reorganization of the executive branch of state government.

Reported by substitute.

DELEGATE PROPOSAL No. 28—

Introduced by Delegate Asseff:

A PROPOSAL

Providing for the reorganization of the executive branch of state government.

Reported by substitute.

DELEGATE PROPOSAL No. 88—

Introduced by Delegate Abraham:

A PROPOSAL

Making provisions for the Public Service Commission and necessary provisions with respect thereto in the Executive Branch of state government.

Reported unfavorably.

Suspension of the Rules

On motion of Delegate Stagg the rules were suspended in order to take up the Proposal contained in the Committee Report at this time.

Reports of Committees Lying Over

Delegate and Committee Proposals on Second Reading

Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 5—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on the Executive Department:

A PROPOSAL

Making provisions of the Public Service Commission and necessary provisions with respect thereto.

Read.

Reported with the following amendments by the Committee on the Executive Department.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Executive Department to Committee Proposal No. 5 by Delegate Stagg, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—

On page 1, at the end of line 3, delete the colon “:” and add the following:

"Alexander, Asseff, Brien, Dennergy, Gravel, and Stovall:"

AMENDMENT No. 2—

On page 1, line 19, after the words “carrier and” and before the word “public” delete the word “other"

AMENDMENT No. 3—

On page 1, delete line 26 in its entirety, and insert in lieu thereof the following:

"owned, operated, or regulated on the effective date of this constitution by the governing"

AMENDMENT No. 4—

On page 2, delete lines 5 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"(2) If a decision is not rendered within six months from the filing date of any proposed rate schedule, it shall be de-emed to be tentatively approved.

(2) If such proposed schedule results in a rate increase, it may be put into effect, subject to such protective bond or security requirements as may be provided by law pending final approval, modification, or rejection. If the commission disapproves the proposed increase, in whole or in part, the carrier or utility may place or continue the schedule in effect under the bond or security, subject to any appeal and final action by a court of last resort. Refund claims therefor in the manner provided by statute shall be filed within one year after such final action.

(4) Any utility filing a proposed rate schedule shall within twenty days, give notice thereof by publication in the official state journal and in the official journal of each parish within the geographical area in which the schedule would
become applicable. Any person affected by the proposed rate schedule may intervene.

(E) Appeals. Should the commission not render its decision within twelve months, an appeal may be taken, as if a decision had been rendered. Appeals may be taken by any party or intervenor and must be filed with the district court, within the time provided by law, at the domicile of the Public Service Commission, with a direct appeal to the Supreme Court, as a matter of right.”

On motion of Delegate Stagg the amendments were adopted.

On motion of Delegate Stagg the Proposal was ordered engrossed and passed to its third reading.

**COMMITTEE PROPOSAL No. 19—**
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on the Executive Department and Delegates Abraham, Alexander, Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall, and Tapper:

A PROPOSAL

Making provisions in the Schedule provisions of the Constitution for mandatory reorganization of the executive branch of state government.

Read.

Reported by substitute by the Committee on the Executive Department.

The substitute was read as follows:

**COMMITTEE PROPOSAL No. 31—**
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on the Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Asseff, Brien, Denney, Duval, Gravel, Stovall, and Tapper (A Substitute for Committee Proposal No. 19):

A PROPOSAL

Making provisions in the Schedule provisions of the Constitution for mandatory reorganization of the executive branch of state government.

On motion of Delegate Stagg the substitute was adopted.

On motion of Delegate Stagg and under a suspension of the rules, the Proposal was ordered engrossed and passed to its third reading.

**DELEGATE PROPOSAL No. 15—**
Introduced by Delegate Avant:

A PROPOSAL

To provide for making appeals from the Public Service Commission.

Read.

Reported unfavorably by the Committee on Executive Department.

On motion of Delegate Stagg the Proposal was withdrawn.

**DELEGATE PROPOSAL No. 19—**
Introduced by Delegate Velazquez:

A PROPOSAL

To provide for the Public Service Commission and necessary provisions.

Read.

Reported unfavorably by the Committee on Executive Department.

On motion of Delegate Stagg the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 29—**
Introduced by Delegate Asseff:

A PROPOSAL

Providing for the reorganization of the executive branch of state government.

Read.

Reported by substitute by the Committee on Executive Department.

The substitute was read as follows:

**COMMITTEE PROPOSAL No. 32—**
Introduced by Delegates Asseff, Abraham, Alexander, Arnette, Gravel, and Stagg (A Substitute for Delegate Proposal No. 29):

A PROPOSAL

Providing for the reorganization of the executive branch of state government.

On motion of Delegate Stagg the substitute was adopted.

On motion of Delegate Stagg and under a suspension of the rules, the Proposal was ordered engrossed and passed to its third reading.

**DELEGATE PROPOSAL No. 68—**
Introduced by Delegate Abraham:

A PROPOSAL

Making provisions for the Public Service Commission and necessary provisions with respect thereto in the Executive Branch of state government.

Read.

Reported unfavorably by the Committee on Executive Department.

On motion of Delegate Stagg the Proposal was withdrawn from the files of the Convention.

**Leaves of Absence**

Delegate Tate—2 days.
Delegate Mauberret—1½ day.
Delegate Vezich—1 day.
Delegate Brown—1 day.
Delegate Riecke—1 day.
Delegate Tapper—1½ day.

**Adjournment**

Delegate Chehardy moved that the Convention do now adjourn until Saturday, September 15, 1973 at 9:00 o’clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, September 15, 1973 at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
PRAYER

Prayer was offered by Delegate Burns.

PLEDGE OF ALLEGIANCE

Delegate LeBleu led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

READING OF THE JOURNAL

On motion of Delegate Chatelain, the reading of the Journal was dispensed with.

On motion of Delegate Chatelain, the Journal of yesterday was adopted.

MORNING HOUR

RESOLUTIONS

Delegate and Committee

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

COMMITTEE RESOLUTION NO. 11—

Introduced by Delegate LeBreton, Chairman, on behalf of the Committee on Legislative Liaison and Transitional Measures, and Delegate Henry, Chairman, on behalf of the Coordinating Committee, and Delegates Aertker, Blair, Casey, Dennis, D’Gerolamo, Drew, Fayard, Hardee, Jackson, M. Jackson, Lambert, Lanier, LeBleu, Lennox, Miller, Munson, Perez, Rayburn, Smith, Stagg, Thompson, Vick, Womack and Zervigon:

A RESOLUTION

To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921.

Read.

On motion of Delegate Zervigon the resolution was adopted.

DELEGATE RESOLUTION NO. 39—

Introduced by Delegate Zervigon:

A RESOLUTION

To amend Rule No. 78 of the Standing Rules of the Constitutional Convention to provide that delegates not voting, rather than absentees, shall be listed separately.

Read.

Delegate Zervigon moved the adoption of the Resolution.

Delegate Asseff objected.

By a vote of 94 yes, 12 nays the Resolution was adopted.

Delegate Zervigon moved to reconsider the vote by which the Resolution was adopted, and on her own motion, the motion to reconsider was laid on the table.

DELEGATE RESOLUTION NO. 40—

Introduced by Delegate Casey:

A RESOLUTION

To amend and readopt Paragraph 2 of Rule Number 50 of the Standing Rules of the Constitutional Convention to require that the recommendations of the Committee on Style and Drafting on proposals adopted be submitted to the substantive committee involved prior to report to the convention.

Read.

On motion of Delegate Casey the Resolution was adopted.

PROPOSALS

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

MOTION

On motion of Delegate Stagg, the Convention altered the Order of Business to take up Committee Proposal No. 22 out of its regular order at this time.

COMMITTEE PROPOSAL NO. 22—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abra-
Making provisions for a code of ethics and the Louisiana Board of Ethics.

Motion

Delegate Kean moved that the Proposal be recommitted to the Committee on Executive Department.

Delegate Anzalone objected.

By a vote of 49 yeas and 59 nays the Convention refused to recommit the Proposal to the Committee on Executive Department.

Motion

Delegate O’Neill moved that the Proposal be tabled.

Delegate Abraham objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Badaux
Bacon
Cannon
Carmouche
Chehardy
Conroy
Corne
Cowan
Deshotels
Drew
Edwards
Elkins
Fontenot
Total—41.

NAYS

Delegates—
Abraham
Aetker
Alexander
Anzalone
Arnette
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Casey
Champagne
Chatelain
Comar
Conilo
D’Gerolamo
De Blieux
Dennis
Dunlap
Total—68.

NOT VOTING

Delegates—
Mr. Chairman
Berry
Dennery

Delegate Duval sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Duval to Committee Proposal No. 22 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“Section ______. (A) The legislature shall enact a code of ethics prohibiting conflict between public duty and private interests of all state employees and elected state officials.

(B) The legislature shall create a board or boards of ethics which shall investigate all allegations of violations of such a code.

On motion of Delegate Duval the amendment was withdrawn.

Delegate Duval sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Duval to Committee Proposal No. 22 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“Section ______. (A) The legislature shall enact a code of ethics prohibiting conflict between public duty and private interests of all state employees and elected state officials.

(B) The legislature shall create a board or boards of ethics which shall investigate all allegations of violations of such a code, and shall have such other powers and duties consistent herewith as may be provided by statute.”

On motion of Delegate Duval the amendment was withdrawn.

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Duval to Committee Proposal No. 22 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“Section ______. (A) The legislature shall enact a code of ethics for all officials and employees of the state.

(B) The code of ethics shall be administered by a board of ethics created by the legislature with such qualifications and terms of office and duties and powers as provided by law.”

On motion of Delegate Drew the amendment was withdrawn.

Delegate Drew sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates De Blieux, Fayerd, Drew and Duval to Committee Proposal No. 22 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:
Delegate De Blieux moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Abraham to Committee Proposal No. 22 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 1, strike out Convention Floor Amendment No. 1 proposed by Delegate De Blieux, et al., and adopted by the Convention on September 15, 1973, and delete lines 12 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

“Section... (A) The legislature shall enact a code of ethics for all state officials and state employees. (B) The code of ethics shall be administered by a board or boards of ethics created by the legislature with such qualifications, terms of office, duties, and powers as provided by law. (C) The decisions of the board shall be appealable and the legislature shall provide the method of appeal.”

Delegate Duval moved the adoption of the amendment.

Delegate Chehardy objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**NAYS**

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A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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And the amendment was adopted.
Delegates—

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<tr>
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<td>Total—14.</td>
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NOT VOTING

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<td>Mr. Chairman</td>
<td>Kilbourne</td>
<td>Shannon</td>
</tr>
<tr>
<td>Bel</td>
<td>Leithman</td>
<td>Silverberg</td>
</tr>
<tr>
<td>Berry</td>
<td>Miller</td>
<td>Tate</td>
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<tr>
<td>Denner</td>
<td>Pugh</td>
<td>Thistlewaite</td>
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<tr>
<td>Giarrusso</td>
<td>Riecke</td>
<td>Wall</td>
</tr>
<tr>
<td>Haynes</td>
<td>Segura</td>
<td></td>
</tr>
<tr>
<td>Total—17.</td>
<td></td>
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</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Abraham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Conroy moved the previous question on the entire subject matter.

Delegate Burson objected.

By a vote of 66 yeas and 47 nays and the previous question was ordered.

**Passage**

Committee Proposal No. 22, Section 1, was read, as amended.

Delegate Gravel moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Fowler</td>
<td>Planchard</td>
</tr>
<tr>
<td>Aertker</td>
<td>Fulco</td>
<td>Rachal</td>
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<tr>
<td>Alario</td>
<td>Gauthier</td>
<td>Rayburn</td>
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<tr>
<td>Alexander</td>
<td>Ginn</td>
<td>Reeves</td>
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<tr>
<td>Anzalone</td>
<td>Goldman</td>
<td>Robinson</td>
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<tr>
<td>Arnette</td>
<td>Gravel</td>
<td>Roemer</td>
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<tr>
<td>Assef</td>
<td>Grier</td>
<td>Roy</td>
</tr>
<tr>
<td>Avant</td>
<td>Guarisco</td>
<td>Sandoz</td>
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<tr>
<td>Badeaux</td>
<td>Hardee</td>
<td>Schmitt</td>
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<tr>
<td>Bergeron</td>
<td>Hayes</td>
<td>Singleary</td>
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<tr>
<td>Blair</td>
<td>Hernandez</td>
<td>Slay</td>
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<tr>
<td>Brien</td>
<td>Jack</td>
<td>Smith</td>
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<tr>
<td>Brown</td>
<td>Jackson, A.</td>
<td>Soniat</td>
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<tr>
<td>Burns</td>
<td>Jackson, J.</td>
<td>Stagg</td>
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<tr>
<td>Carmouche</td>
<td>Juneau</td>
<td>Stephenson</td>
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<tr>
<td>Casey</td>
<td>Kean</td>
<td>Stiver</td>
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<tr>
<td>Champagne</td>
<td>Kelly</td>
<td>Stovall</td>
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<tr>
<td>Chatelain</td>
<td>Kilpatrick</td>
<td>Sutherland</td>
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<td>Chehardy</td>
<td>Lambert</td>
<td>Tapper</td>
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<td>Coner</td>
<td>Landrum</td>
<td>Thompson</td>
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<tr>
<td>Conine</td>
<td>Landry, E. J.</td>
<td>Tobias</td>
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<tr>
<td>Conroy</td>
<td>Lanier</td>
<td>Toca</td>
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<td>Corne</td>
<td>LeBlu</td>
<td>Ullo</td>
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<td>Cowen</td>
<td>Leigh</td>
<td>Velazquez</td>
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<td>D'Gerelamo</td>
<td>Lennox</td>
<td>Vensh</td>
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<td>De Blieux</td>
<td>Lowe</td>
<td>Vick</td>
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<tr>
<td>Dennis</td>
<td>McDaniel</td>
<td>Warren</td>
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<tr>
<td>Debes</td>
<td>Maubre</td>
<td>Weiss</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Mire</td>
<td>Willis</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Munson</td>
<td>Winchester</td>
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<tr>
<td>Elkins</td>
<td>Newton</td>
<td>Wisham</td>
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<tr>
<td>Feyer</td>
<td>Nunez</td>
<td>Womack</td>
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<tr>
<td>Flory</td>
<td>O'Neill</td>
<td>Zervigon</td>
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<tr>
<td>Fontenot</td>
<td>Perkins</td>
<td></td>
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<tr>
<td>Total—101.</td>
<td></td>
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</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
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<tbody>
<tr>
<td>Edwards</td>
<td></td>
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<tr>
<td>Heine</td>
<td></td>
<td></td>
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<tr>
<td>Jenkins</td>
<td></td>
<td></td>
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<tr>
<td>Landry, A.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total—14.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
<td></td>
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<tr>
<td>Bel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Berry</td>
<td></td>
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<tr>
<td>Denner</td>
<td></td>
<td></td>
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<tr>
<td>Giarrusso</td>
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<tr>
<td>Haynes</td>
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<tr>
<td>Total—17.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Abraham moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Juneau moved the previous question on the entire subject matter.

**Point of Order**

Delegate Burson asked for a ruling of the Chair as to whether the motion for the previous question on the entire subject matter would have the effect, if carried, of precluding consideration of amendments proposing the addition of new Sections which were prepared and at the desk, but not introduced.

**Ruling of the Chair**

The Chair ruled that the effect of the motion for the previous question on the entire subject matter, if carried, would be to bring the Convention to vote directly on the final passage of the proposal as there were no pending subsidiary motions as amendments which were introduced, and as a result amendments prepared but not introduced would be precluded from consideration.

**Appeal**

Delegate Burson appealed the ruling of the Chair.

The question was put, in accordance with the rules, to sustain the ruling of the Chair.

And, by a vote of 78 yeas and 32 nays, the Chair was sustained.

Delegate Juneau insisted upon his motion to order the previous question.

By a vote of 45 yeas and 66 nays and the Convention refused to order the previous question.

Delegate Burson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 22 by Delegate Stagg, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 24, add the following: “Section 2. Code of Ethics; Local Officials and Employees. Section 2. Any code of ethics for local officials and employees shall be administered by a local board of ethics.”

**Motion**

Delegate Smith moved the previous question on the amendment.

Delegate Weiss objected.

By a vote of 42 yeas and 64 nays the Convention refused to order the previous question.
Delegate Munson moved the previous question on the amendment.
Delegate Lanier objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alexander— Jackson, A.  Sania
Arnette— Kilpatrick  Siagg
Avant— Landrum  Sutherland
Brien— Leigh  Tapper
Burns— Lennox  Thompson
Cannon— Lowe  Toca
Casey— McDaniel  Ulo
D’Gerolamo— Maubert  Versich
Dennis— Ours  Warren
Elkins— Perkins  Wattigry
Flory— Rachel  Wisham
Ginn— Roy  Womack
Goldman— Schmitt  Zervigon
Gravel— Slay  Smith
Guarisco— Total—42.

NAYS

Delegates—
Abraham— Edwards  Mire
Anzalone— Fontenot  Newton
Asseff— Fowler  Nunez
Badeaux— Fuco  O’Neill
Bergeron— Gauthier  Perez
Blair— Heine  Perkins
Brown— Hernandez  Planchard
Bollinger— Jack  Robinson
Burson— Kean  Sandoz
Cannon— Landry, A.  Toca
Champagne— Lanier  Tommy
Chetahady— LeBlanc  Wattigry
Conino— LeBlanc  Weiss
Conrey— Marin  Willis
DeBlieux— Maubert  Winchester
Deshotel— Nunez
Drew— Total—63.

NOT VOTING

Delegates—
Mr. Chairman— Fayard  Pugh
Aeriker— Giarrusso  Riecke
Alario— Haynes  Segura
Bel— Hernandez  Shannon
Berry— Kilbourne  Silverberg
Carmouche— LeBlanc  Tate
Corne— Lambert  Thistlethwaite
Cowan— Landry, A.  Wall
DeBlieux— Lanier  Winchester
Deshotel— LeBlanc  Wall
Drew— LeBlanc  Wall
Duval— Martin  Wall

The amendment not having received a majority vote of the total membership of the Convention, required to pass a Section to a Proposal, failed to pass.

Delegate Lowe moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

The Proposal was read.
Delegate Stagg moved the final passage of the entire Proposal.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman— Casey  Drew
Abraham— Chetahady  Fayard
Alexander— Coman  Flory
Arnette— Conrey  Foer
Asseff— Corne  Fuco
Avant— Cowen  Ginn
Bergeron— DeBlieux  Goldman
Blair— Dennis  Gravel
Brien— Dennis  Grier
Brown— Deshotel  Guarisco
Burns— Total—26.

And the Convention refused to order the previous question at this time.
Delegate Burson moved the adoption of the amendment.
Delegate Arnette objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:
48th Day's Proceedings—September 15, 1973

Hardee
Hayes
Hernandez
Jack
Jackson, A.
Jackson, J.
Juneau
Kelly
Kilpatrick
Lambert
Landrum
Landry, E. J.
Leigh
Lennox
Lowe
McDaniel
Mire

Munson
Newton
Planerchard
Rachal
Rayburn
Reeves
Roemer
Roy
Sandoz
Schmitt
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson

Stovall
Sutherland
Tapper
Thompson
Tobias
Toca
Ulo
Velazquez
Vesich
Vick
Warren
Willis
Winchester
Wisham
Womack
Zervigon

Total—83.

Delegates—
Anzalone
Badeaux
Bollinger
Burson
Cannon
Champagne
Conino
Duval
Edwards
Elkins
Gauthier
Heine
Jenkins
Kean
Landry, A.
LeBlanc
Martin
Mauberret
Nunez
O'Neill
Orso
Perez
Perkins
Toomy
Wattigny
Weiss

Total—27.

A bsent—
Aertker
Alario
Bel
Berry
Carmouche
Dennery
Derbes
Dunlap

Haynes
Kilbourne
LeBlanc
Miller
Pugh
Riecke
Giarrusso
Robinson
Segura
Shannon
Silverberg
Tate
Thistletwaite
Wall

Total—22.

And the Chair declared that the above Proposal was finally passed.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other orders of Business at this time.

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Committee Resolution having been finally adopted by the Convention has been properly enrolled in final form:

COMMITTEE RESOLUTION No. 11—

Introduced by Delegate LeBreton, Chairman, on behalf of the Committee on Legislative Liaison and Transitional Measures, and Delegate Henry, Chairman, on behalf of the Coordinating Committee, and Delegates Aertker, Blair, Casey, Dennis, D'Gerolamo, Drew, Fayard, Hardee, A. Jackson, J. Jackson, Lambert, Lanier, LeBlanc, Lennox, Miller, Munson, Perez, Rayburn, Smith, Stagg, Thompson, Vick, Womack, and Zervigon:

A RESOLUTION

To recommend categories for the orderly transition of material from the Louisiana Constitution of 1921. WHEREAS, the official rules of this convention contem-plate that the Coordinating Committee shall assure that all provisions of the Constitution of 1921, as amended, be considered by at least one substantive committee; and

WHEREAS, said Rules vest in the Committee on Legislative Liaison and Transitional Measures jurisdiction over matters of transition of subject matter from the constitution to appropriate law; and

WHEREAS, the members of these committees have studied various methods of transposition and the coordination of transition procedures with the substantive committees and after deliberation recommend that the convention immediately establish categories into which subject matter can be placed in order to facilitate the work and deliberations of the convention.

NOW, THEREFORE, BE IT RESOLVED that each of the eight substantive committees of the Constitutional Convention of Louisiana of 1973, in its deliberations, shall divide the material within its jurisdiction into the following categories:

1. Articles and sections of the proposed new constitution.
2. Provisions of the 1921 Constitution to be made statutory, but subject to legislative change only by a super majority vote.
3. Provisions of the 1921 Constitution to be made statutory and subject to legislative change by the usual majority vote.
4. Provisions of the proposed new constitution which require new legislation for implementation.
5. Material which is obsolete or unnecessary.

BE IT FURTHER RESOLVED that each committee, through its chairman, submit a written report containing its division of material into the categories herein enumerated to the convention not later than November 2, 1973.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted without delay to the chairman of each of the substantive committees of this convention.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

Mr. Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Delegate Resolutions having been finally adopted by the Convention have been properly enrolled in final form:

DELEGATE RESOLUTION No. 39—

Introduced by Delegate Zervigon:

A RESOLUTION

To amend Rule No. 78 of the Standing Rules of the Constitutional Convention to provide that delegates not voting, rather than absentees, shall be listed separately.

BE IT RESOLVED that Rule No. 78 of the Standing Rules of the Constitutional Convention is hereby amended and readopted to read as follows:

Rule No. 78. Voting after Decision is Announced. When the Yeas and Nays are taken on any question, no delegate shall be permitted, under any circumstances whatever, to vote after the decision has been announced by the chairman. On all calls of the Yeas and Nays the names of delegates not voting shall be placed on a separate list.

DELEGATE RESOLUTION No. 40—

Introduced by Delegate Casey:

A RESOLUTION

To amend and readopt Paragraph 2 of Rule Number 50 of the Standing Rules of the Constitutional Convention to require that the recommendations of the Committee on Style and Drafting on proposals adopted be submitted to the substantive committee involved prior to report to the convention.

BE IT RESOLVED that Paragraph 2 of Rule Number 50...
Section 2. Due Process of Law
Section 2. No person shall be deprived of life, liberty or property, except by due process of law.

Section 3. Right to Individual Dignity
Section 3. No person shall be denied the equal protection of the laws. No law shall discriminate against a person on account of race or religious ideas, religious beliefs, or religious affiliations. No law shall arbitrarily, capriciously, or unreasonably discriminate against any person by reason of birth, age, sex, culture, physical condition, political ideas or political affiliation. Slavery and involuntary servitude are prohibited, except in the latter case as a punishment for crime.

Section 4. Right to Property
Section 4. Every person has the right to acquire, control, own, use, enjoy, protect, and dispose of private property. This right shall be subject to reasonable statutory restrictions and the reasonable exercise of the police power. Property shall not be taken or damaged by any public or private entity authorized by law to expropriate property, except for a public and necessary purpose and with just compensation paid to the owner and, in such proceedings, the issue of whether the purpose is public and necessary shall be a judicial question. Any expropriation by public or private entity shall have the right to trial by jury to determine compensation and the owner shall be compensated to the full extent of his loss. No business enterprise or any of its assets shall be taken for the purpose of operating that enterprise or for the purpose of providing government services, except that the government may expropriate utilities within their jurisdiction. Personal effects, other than contraband, shall never be taken. The provisions of this Section shall not apply to appropriation of property necessary for levee and levee drainage purposes.

Section 5. Right to Privacy
Section 5. Every person shall be secure in his person, property, communications, houses, papers, and effects against unreasonable searches, seizures, or invasions of privacy. No warrant shall issue without probable cause supported by oath or affirmation particularly describing the place to be searched or the persons or things to be seized, and the lawful purpose or reason for the search. Any person adversely affected by a search or seizure conducted in violation of this Section shall have standing to raise the illegality of that search or seizure in the appropriate court of law.

Section 6. Freedom from Intrusion
Section 6. No person shall be quartered in any house without the consent of the owner or lawful occupant.

Section 9. Liberty of Speech and Freedom of the Press
Section 9. No law shall ever be passed abridging the freedom of speech or of the press; and no law shall ever be passed abridging the liberty of the people to speak or write on matters of public interest and importance, or to publish his sentiments on all subjects, being responsible for the abuse of that liberty or freedom.

Section 10. Freedom of Religion
Section 10. No law shall be enacted respecting an establishment of religion or prohibiting the free exercise thereof.

Section 11. Freedom of Assembly and Movement
Section 11. No law shall impair the right of every person to assemble peaceably or to petition government for a redress of grievances.

Section 12. Rights of the Accused
Section 12. When any person has been arrested or detained in connection with the investigation or commission of any offense, he shall be advised fully of the reason for his arrest or detention, his right to remain silent, his right against self-incrimination, his right to the assistance of counsel and, to court appointed counsel, if indigent. In all criminal prosecutions, the accused shall be informed of the nature and cause of the accusation against him. At all stages of the proceedings, every person shall be entitled to assistance of counsel of his choice, or, if appointed by the court in indigent cases if charged with an offense punishable by imprisonment. The legislature shall provide for a uniform system for securing counsel for indigents, including qualifications and compensation.

No person shall be subject to imprisonment or forfeiture of his rights or property without the right of judicial review based upon a complete record of all evidence upon which such judgment is based. The cost of the transcription of
such record shall be paid as provided by law. This right may be intelligently waived.

Section 13. Initiation of Prosecution
Section 13. Prosecution of felonies shall be initiated by indictment or information, provided that no person shall be held to answer for any capital crime or any crime punishable by life imprisonment, except on indictment by a grand jury. No person shall be twice placed in jeopardy for the same offense, except on his own application for a new trial or when a mistrial is declared or a motion in arrest of judgment is sustained.

Section 15. Fair Trial
Section 15. Every person charged with a crime shall be presumed innocent until proven guilty, and shall be entitled to a speedy, public, and impartial trial in the parish where the offense or an element of the offense occurred, unless venue be changed in accordance with law. No person shall be compelled to give evidence against himself. An accused shall be entitled to confront and cross-examine the witnesses against him, to compel the attendance of witnesses, to present a defense, and to testify in his own behalf.

Section 16. Trial by Jury in Criminal Cases
Section 16. Criminal cases in which the punishment may be capital shall be tried before a jury of twelve persons, all of whom must concur to render a verdict; cases in which the punishment is necessarily confinement at hard labor shall be tried before a jury of twelve persons, ten of whom must concur to render a verdict. Cases in which the punishment may be confinement at hard labor or confinement without hard labor of more than six months, shall be tried before a jury of six persons, five of whom must concur to render a verdict. Except in capital cases, a defendant may knowingly and intelligently waive his right to a trial by jury. In all criminal prosecutions tried by a jury the accused shall have the right to full voir dire examination of prospective jurors and to challenge jurors peremptorily. The number of challenges shall be fixed by law.

Section 17. Right to Bail
Section 17. Excessive bail shall not be required. Before and during a trial, a person shall be bailable by sufficient sureties, unless charged with a capital offense and the proof is evident and the presumption of guilt is great. After conviction and before sentencing, a person shall be bailable if the maximum sentence which may be imposed is imprisonment of five years or less. The judge may grant bail if the maximum sentence which may be imposed is imprisonment in excess of five years. After sentencing and until final judgment, persons shall be bailable if the sentence actually imposed is five years or less and the judge in his discretion may grant bail if the sentence actually imposed is in excess of five years imprisonment.

Section 18. Right to Humane Treatment
Section 18. No law shall subject any person to euthanasia, torture, cruel, excessive, or unusual punishments. Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any offense.

Section 19. Right to Vote
Section 19. Every citizen of the state, upon reaching eighteen years of age shall have the right to register and vote, except that this right may be suspended while a person is interdicted and judicially declared mentally incompetent, or under an order of imprisonment for conviction of a felony.

Section 20. Right to Keep and Bear Arms
Section 20. The right of each citizen to keep and bear arms shall not be abridged, but this provision shall not prevent the passage of laws to prohibit the carrying of weapons concealed on the person.

Section 21. Right to a Habeas Corpus
Section 21. The writ of habeas corpus shall not be suspended.

Section 22. Access to Courts
Section 22. All courts shall be open, and every person shall have an adequate remedy by due process of law and justice, administered without denial, partiality, or unreasonable delay for injury to him in his person, property, reputation, or other rights.

Section 23. Prohibited Laws
Section 23. No bill of attainder, ex post facto law, or law impairing the obligation of contracts shall be enacted.

Section 24. Unenumerated Rights
Section 24. The enumeration in this constitution of certain rights shall not be construed to deny or disparage other rights retained by the individual citizens of the state.

Section 25. Freedom from Discrimination
Section 25. In access to public areas, accommodations, and facilities every person shall have the right to be free from discrimination based on race, religion, or national ancestry and from arbitrary, capricious, or unreasonable discrimination based on age, sex, or physical condition.

Section 26. Right to Preliminary Examination
Section 26. In all felony cases, except those indicted by a grand jury, the right to a preliminary examination shall not be denied.

Respectfully submitted,

MOISE W. DENNERY
Secretary

Under the Rules, referred to the Committee on Style and Drafting.

Leaves of Absence
Delegate Miller—1 day.
Delegate Pugh—½ day.
Delegate Denney—1 day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Wednesday, September 19, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, September 19, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmeuche
Casey
Champagne
Chatelain
Comar
Conino
Conroy
Corne
Coven
D’Gerolamo
De Blieux
Denney
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
O’Neill

Total—124.

ABSENT

Delegates—
Chehardy
Giarusso
Lanier

Total—8.

The Chairman announced that there were 124 members present and a quorum.

Prayer

Prayer was offered by Delegate Warren.

Pledge of Allegiance

Delegate Planchard led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Duval, the reading of the Journal was dispensed with.

On motion of Delegate Duval, the Journal of yesterday was adopted.

Morning Hour

Resolutions

Delegate and Committee

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D’Gerolamo, Fowler, Giarusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ulio, and Zervigon:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto:

Read.

On motion of Delegate Perez, the rules were suspended in order to consider the above Proposal out of its regular order.

 Motion

Delegate Munson moved that Committee Proposal No. 17 be recommitted to the Committee on Local and Parochial Government.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Alario
Alexander
Avant
Bel
Bergeron
Berry
Bren
Comar
Conino
Conroy
De Blieux
Denney
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
O’Neill

Total—53.

NAYS

Delegates—
Aertker
Arnette
Badeaux
Bollinger
Brown
Burns
Burson
Carmouche
Chatelain
Corne
Dunlap
Edwards
Elkins
Fayard
Flory

Total—49.

Deshotels
Drew
Duval
Elkins
Fayard
Flory

Total—8.
49th Days Proceedings—September 19, 1973

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 24, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 1. Creation, Dissolution, and Merger of Parishes; Change of Parish Lines; Change of Parish Seats; Existing Parishes

Section 1. (A) The legislature may establish and organize new parishes, dissolve and merge parishes and change parish boundaries, if two-thirds of the electors in each of the parishes affected voting at an election held for the purpose of each parish affected consent thereto.

(B) The governing authority of a parish, upon the written petition of at least twenty-five percent of the electors of the parish, shall call an election on the question of changing the location of the parish seat. The election shall be conducted in the manner provided by the general election laws of the state, insofar as applicable. The location of a parish seat shall be changed if two-thirds of the total vote cast at the election is in favor thereof.

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 24, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 1. Creation, Dissolution, and Merger of Parishes; Change of Parish Lines; Change of Parish Seats; Existing Parishes

Section 1. (A) The legislature may establish and organize new parishes, dissolve and merge parishes and change parish boundaries, if two-thirds of the electors in each of the parishes affected voting at an election held for the purpose of each parish affected consent thereto.

(B) The governing authority of a parish, upon the written petition of at least twenty-five percent of the electors of the parish, shall call an election on the question of changing the location of the parish seat. The election shall be conducted in the manner provided by the general election laws of the state, insofar as applicable. The location of a parish seat shall be changed if two-thirds of the total vote cast at the election is in favor thereof.

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 24, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 1. Creation, Dissolution, and Merger of Parishes; Change of Parish Lines; Change of Parish Seats; Existing Parishes

Section 1. (A) The legislature may establish and organize new parishes, dissolve and merge parishes and change parish boundaries, if two-thirds of the electors in each of the parishes affected voting at an election held for the purpose of each parish affected consent thereto.

(B) The governing authority of a parish, upon the written petition of at least twenty-five percent of the electors of the parish, shall call an election on the question of changing the location of the parish seat. The election shall be conducted in the manner provided by the general election laws of the state, insofar as applicable. The location of a parish seat shall be changed if two-thirds of the total vote cast at the election is in favor thereof.

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 24, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 1. Creation, Dissolution, and Merger of Parishes; Change of Parish Lines; Change of Parish Seats; Existing Parishes

Section 1. (A) The legislature may establish and organize new parishes, dissolve and merge parishes and change parish boundaries, if two-thirds of the electors in each of the parishes affected voting at an election held for the purpose of each parish affected consent thereto.

(B) The governing authority of a parish, upon the written petition of at least twenty-five percent of the electors of the parish, shall call an election on the question of changing the location of the parish seat. The election shall be conducted in the manner provided by the general election laws of the state, insofar as applicable. The location of a parish seat shall be changed if two-thirds of the total vote cast at the election is in favor thereof.

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 14 through 24, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 1. Creation, Dissolution, and Merger of Parishes; Change of Parish Lines; Change of Parish Seats; Existing Parishes

Section 1. (A) The legislature may establish and organize new parishes, dissolve and merge parishes and change parish boundaries, if two-thirds of the electors in each of the parishes affected voting at an election held for the purpose of each parish affected consent thereto.

(B) The governing authority of a parish, upon the written petition of at least twenty-five percent of the electors of the parish, shall call an election on the question of changing the location of the parish seat. The election shall be conducted in the manner provided by the general election laws of the state, insofar as applicable. The location of a parish seat shall be changed if two-thirds of the total vote cast at the election is in favor thereof.

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Pugh sent up a floor amendment, which was read as follows:
49th Days Proceedings—September 19, 1973

Jenkins
Juneau
Lambert
Lanier
Miller
Ouourso
Total—22.

And the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 14 and 24, as amended by the Floor Amendment proposed by Delegate Pugh and adopted by the Convention on September 19, 1973, delete in its entirety Paragraph (C) contained in said floor amendment.

Delegate Abraham moved the adoption of the amendment.

Delegate Perez objected.

By a vote of 12 yeas and 88 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Newton sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Newton to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, line 14, in Floor Amendment No. 1 proposed by Delegate Pugh and adopted by the Convention on September 19, 1973 on line 6, immediately after the word “or” and before the words “of the” delete the word “two-thirds” and insert in lieu thereof the words “a majority”

Delegate Newton moved the adoption of the amendment.

Delegate Perez adopted.

By a vote of 17 yeas and 84 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 4, in Floor Amendment No. 1 proposed by Delegate Pugh and adopted by the Convention on September 19, 1973, on line 8 of the text of the amendment after the words “two-thirds” insert the words “or more”

Delegate Gravel moved the adoption of the amendment.

Delegate Kean objected.

By a vote of 34 yeas and 71 nays the amendment was rejected.

Delegate Kean moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, Section 1, was read, as amended.

Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate
Mr. Chairman
Elkins
Abraham
Gayard
Alario
Flory
Alexander
Fonfrenot
Anzalone
Fowler
Arnette
Fulco
Asseff
Gauthier
Avant
Ginn
Badeaux
Goldman
Bel
Gravel
Bergeron
Grier
Blair
Guarisco
Bollinger
Hardie
Brien
Hayes
Brown
Heine
Burns
Hernandez
Cannon
Jack
Carmouche
Jackson, A.
Casey
Jackson, J.
Champagne
Juneau
Chatelain
Kelly
Comar
Kilbourne
Conino
Kilpatrick
Conroy
Landrum
Corne
Landry, A.
D’Gerolamo
Landry, E. J.
DeBleux
Leigh
Dennery
Leitman
Dennis
Lennox
Derbis
Lowe
Deshotels
Love
Drew
McDaniel
Dunlap
Martin
Duval
Maubanret
Edwards
Monson
Total—105.

NAYs

Delegate Kean.
Total—1.

NOT VOTING

Delegate
Aerkier
Barret
Burrson
Chehardy
Cowen
Garrusso
Haynes
Jenkins
Lambert
Total—26.

And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 2. Change of Parish Lines; Election

Section 2. Before taking effect any law changing parish
lines, consolidating parishes, dissolving parishes, or creating new parishes shall be submitted to the electors of the parishes to be affected at a special election held for that purpose. The change shall take effect only if two-thirds of the total vote cast on the question in each affected parish is in favor thereof.

Read.

Delegate Pugh sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 25 through 31, both inclusive in their entirety.

On motion of Delegate Pugh the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 3. New or Enlarged Parishes; Adjustment of Assets and Liabilities

Section 3. When a parish is enlarged or created from contiguous territory, it shall be entitled to a just proportion of the property and assets and shall be liable for a just proportion of the existing debts and liabilities of the parish or parishes from which the territory is taken.

Read.

Delegate Pugh sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete line 32 in its entirety and on page 2 delete lines 1 through 6, both inclusive in their entirety.

Delegate Pugh moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Abraham
- Aertker
- Alario
- Alexander
- Anzalone
- Arnette
- Asseff
- Avant
- Badeaux
- Bel
- Bergeron
- Blair
- Brien
- Burns
- Cannon
- Carmouche
- Casey
- Chatelain
- Commet
- Conino
- Corne
- Cowen
- De Gerolamo
- De Blieux
- Dennergy
- Dennis
- Derbes
- Deshotels
- Drew
- Dunlap
- Edwards
- Flory

Total—45.

**NAYS**

- Bollinger
- Champagne
- Conroy
- Ourso
- Perez
- Perkins
- Pianchard
- Riecke
- Robinson
- Sandol
- Singleton
- Slay
- Stephenson
- Sutherland
- Thistlethwaite
- Toca
- Tommy
- Ullo
- Wattigny
- Willis
- Winchester
- Zervigon

498
Duval  Guarisco  Reeves
Flory  Kelly  Roemer
Ginn  Landrum  Tate
Goldman  Mire  Tobias
Gravel  Newton  
Total—17.

NOT VOTING

Delegates—
Mr. Chairman  Lanier  Tapper
Berry  LeBlanc  Vick
Brown  Miller  Wall
Burson  Rayburn  Wees
Chehardy  Shannon  Wisham
Giarrusso  Silverberg  Womack
Jenkins  Stagg  
Lambert  Stinson  
Total—22.

And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 4. Change of Location of Parish Seat

Section 4. Upon the written petition of not less than twenty-five percent of the electors, as certified by the registrar of voters, the governing authority of a parish shall call an election on the question of changing the location of the parish seat. The location of a parish seat shall not be changed unless two-thirds of the total vote cast on the question is in favor thereof.

Read.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 7 through 13, both inclusive in their entirety.

On motion of Delegate Pugh the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 5. Municipalities: Incorporation, Consolidation, Merger and Government

Section 5. The legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No local or special law shall be enacted to create a municipal corporation or to amend, modify, or repeal its charters. However, if a municipality is operating under a special legislative charter it may be amended, modified, or repealed by local or special law as long as such municipality continues to operate under such charter.

Read.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 14 through 23, both inclusive, in their entirety and insert in lieu thereof the following:
Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 6. Classification

Section 6. Except as provided in this constitution, the legislature may classify parishes or municipalities according to population or on any other reasonable basis related to the purpose of this classification, and legislation may be limited in its effect to any of such class or classes. However, no statute which is applicable to fewer than six parishes or municipalities shall become operative in any such parish or municipality until approved by ordinance enacted by the governing authority of the affected parish or municipality.

Read.

Delegate Avant sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Avant, Ginn & Flory to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 2, line 29, immediately after the word and punctuation "classes," delete the words "However, no statute" and delete line 30 through 32, in their entirety.

AMENDMENT No. 2—

On page 3, delete line 1, in its entirety.

Delegate Avant moved the adoption of the amendment.

Delegate Zervigon objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Akerker

Alario

Alexander

Anzalone

Arnette

Asseff

Avant

Badeaux

Bergeron

Blair

Bollinger

Brien

Brown

Burns

Carmouche

Comar

Corne

Cowen

D'Gerolamo

De Blieux

Dennis

Drew

Dunlap

Duval

Edwards

Fayard

Total—81.

NAYS

Delegates—

Champagne

Chatelain

Conino

Conroy

DeNery

Derbes

Deshotels

Elkins

Grier

Heine

Hernandez

Kean

Kidbourne

Leigh

Lennox

Total—33.

NOT VOTING

Delegates—

Berry

Chehardy

Giarrusso

McDaniel

Maubrert

Nunez

O'Neal

Peres

Perkins

Riecke

Sandoz

Singletary

Sutherland

Tapper

Toomey

Willis

Zervigon

Committee Proposal No. 17, Section 6, was read, as amended.

Delegate Zervigon moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Akerker

Alario

Alexander

Anzalone

Arnette

Asseff

Avant

Badeaux

Bergeron

Blair

Bollinger

Brien

Brown

Burns

Carmouche

Comar

Corne

Cowen

D'Gerolamo

De Blieux

Dennis

Drew

Dunlap

Duval

Edwards

Fayard

Total—81.

NAYS

Delegates—

Champagne

Chatelain

Conino

Conroy

DeNery

Derbes

Deshotels

Elkins

Grier

Heine

Hernandez

Kean

Kidbourne

Leigh

Lennox

Total—33.

NOT VOTING

Delegates—

Berry

Chehardy

Giarrusso

McDaniel

Maubrert

Nunez

O'Neal

Peres

Perkins

Riecke

Sandoz

Singletary

Sutherland

Tapper

Toomey

Willis

Zervigon

500
Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 22—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Alexander, Anzalone, Arnette, Brien, Denney, Duval, Gravel, Stovall, and Tapper:

A PROPOSAL

Making provisions for a code of ethics and the Louisiana Board of Ethics.

Be it adopted by the Constitutional Convention of Louisiana:

Article ______, Section ______. Code of Ethics; Board of Ethics

Section ______ (A) The legislature shall enact a code of ethics for all officials and employees of the state and its political subdivisions.

(B) The code of ethics shall be administered by a board or boards of ethics created by the legislature with such qualifications, terms of office, duties, and powers as provided by law.

(C) The decisions of the board shall be appealable and the legislature shall provide the method of appeal.

Respectfully submitted,

MOISE W. DENNERY
Secretary.

Under the Rules, referred to the Committee on Style and Drafting.

COMMITTEE NOTICE

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Thursday, September 20, 1973 at 9 o’clock in Committee Room 5 State Capitol and will consider the following agenda:

AGENDA

1. Continuation of discussion of differences in this committee’s proposal and the proposal by Local and Parochial Government.

2. Amendments to the two committee proposals—CP 15 and CP 26.

3. Any other business which may come before the committee.

Respectfully submitted,

B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Thursday, September 20, 1973 at 9:00 o’clock A.M. in Committee Room No. 5 and will consider the following agenda:

AGENDA

To hold a joint meeting with the Committee on Revenue,
Respectfully submitted,
CHALIN O. PEREZ,
Chairman of the Committee on Local and Parochial Governments

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Lambert, chairman of the Committee on Natural Resources, sent up the following notice:

The Committee on Natural Resources will meet on Thursday, September 20, 1973 at 9:00 o'clock A.M. in Committee Room No. 4 and will consider the following agenda:

AGENDA
To continue consideration of the committee’s proposal.

Respectfully submitted,
DELEGATE LOUIS LAMBERT,
Chairman of the Committee on Natural Resources

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Alphonse Jackson, chairman of the Committee on Bill of Rights and Elections, sent up the following notice:

The Committee on Bill of Rights and Elections will meet on Thursday, September 20, 1973 at 10:00 o'clock A.M. in Committee Room No. 9 and will consider the following agenda:

AGENDA
To consider the Committee’s Proposals on elections.

Respectfully submitted,
DELEGATE ALPHONSE JACKSON, JR.,
Chairman of the Committee on Bill of Rights and Elections

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Aertker the rules were suspended in order to allow him to call a meeting of the Committee on Education and Welfare without giving the required 24 hours notice.

COMMITTEE NOTICE

Mr. Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Wednesday, September 19, 1973, after adjournment in Committee Room 5 and will consider the following agenda:

AGENDA
Consideration of Delegate Proposals 55, 53, 54, 66, 92, 3

Respectfully submitted,
DELEGATE ROBERT AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence

Delegate Weiss—2 days.
Delegate Lanier—3 days.
Delegation Stinson—1 day.
Delegate Burson—1½ day.
Delegate Jenkins—1½ day.
Delegate Chehardt—1 day.
Delegate Rayburn—1 day.
Delegate Vesich—1½ day.
Delegate Stagg—1 day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, September 20, 1973 at 1:00 o'clock P. M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, September 20, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 1:00 o'clock P.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Blair
Bollinger
Brien
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Covington
Cowan
D'Gerolamo
DeBieux
Dennery
Dennis
Derbes
Deshotes
Drew
Dunlap
Duval
Edward
Elkins
Fayard
Flory

Fontenot
Fowler
Puca
Gauthier
Ginn
Goldman
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jackson, J.
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, E. J.
Landry, A.
Lane
LeBlanc
LeBlanc
LeBlanc
LeBlanc
Lowen
Lion
Maunder
Mire
Monson
Newton
Nunez
O'Neill

Ours
Perez
Perrins
Planchard
Pugh
Rachal
Rayburn
Reeves
Rieke
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Singletary
Stay
Smith
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tapper
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ullo
Velazquez
Vesic
Wall
Warren
Wattigny
Willis
Windsor
Winston
Wishum
Womack
Zervigon

Delegates—
Berr
Can
Giaruss

Miller
Shannon
Silverberg

Stinson
Tate
Weiss

ABSENT

The Chairman announced that there were 123 members present and a quorum.

Prayer

Prayer was offered by Delegate Champagne.

Pledge of Allegiance

Delegate Deshotel led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Alario, the reading of the Journal was dispensed with.

On motion of Delegate Alario, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees

The following reports of Committees were received and read.

Delegate Robert Aertker, chairman, on behalf of the Committee on Education and Welfare, submitted the following report:

State of Louisiana

Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Education and Welfare to submit the following report:

DELEGATE PROPOSAL No. 1—

Introduced by Dr. Assiff

A PROPOSAL

For supplemental pay increase for state policemen.

Reported unfavorably.

DELEGATE PROPOSAL No. 27—

Introduced by Delegate Denney:

A PROPOSAL

To establish state and city civil service.

Reported unfavorably.

DELEGATE PROPOSAL No. 28—

Introduced by Delegate Denney:

A PROPOSAL

Relative to transition for members of the State Civil Service Commission.

Reported unfavorably.

COMMITTEE PROPOSAL No. 9—

Introduced by Delegate Aertker, Chairman on behalf of the Committee on Education and Welfare, and Delegates Armenter, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Rieke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources by providing for state civil service.

Reported with amendments.

COMMITTEE PROPOSAL No. 10—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armenter, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Rieke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources by providing for municipal fire and police civil service.

Reported with amendments.

Respectfully submitted,

ROBERT AERTKER,
Chairman.
Delegate Robert Aertker, chairman, on behalf of the Committee on Education and Welfare, submitted the following report:

State of Louisiana
Constitutional Convention
of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Education and Welfare to submit the following report:

DELEGATE PROPOSAL No. 65—
Introduced by Delegate Roy:
A PROPOSAL
Making provisions regarding civil service employment.

Reported with amendments.

Respectfully submitted,
ROBERT AERTKER,
Chairman.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Resolutions
Delegate and Committee

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conine, D’Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ulo and Zervigon:
A PROPOSAL
Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read

Section 7. Existing Home Rule Charters and Plans of Government of Parishes and Municipalities Ratified

Section 7. (A) The plans of government and home rule charters of the parishes of East Baton Rouge, Jefferson, and Plaquemines and of the cities of New Orleans, Baton Rouge, and Shreveport shall remain in effect, and may be amended, modified, or repealed as provided therein. Each of them shall retain the authority, powers, rights, privileges, and immunities granted by its charter. Each shall be subject to the duties imposed by the applicable constitutional provisions under which its plan or charter was adopted. Each of them also shall enjoy such additional powers and functions as are granted to local governmental subdivisions by provisions of this constitution, including Sections 8 and 9 of this Article, unless the exercise of such powers and performance of such functions is prohibited by its charter.

(B) Every other home rule charter adopted or authorized when this constitution is adopted shall remain in effect and may be amended, modified, or repealed as provided in the charter.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 17, Section 7, when it adjourned on Wednesday, September 19, 1973, which was taken up and acted upon as follows:

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 2 through 21 both inclusive in their entirety, and insert in lieu thereof the following:

“Section 7. Home Rule Charters and Plans of Government Section 7. A. The local governmental subdivisions existing under home rule charters or plans of government at the time of adoption of this constitution shall continue to have all of the authority, powers, rights, privileges, immunities, obligations and responsibilities as therein provided for.

B. Subject to the provisions of paragraph A hereinafter, the legislature by general law, shall provide the manner in which local governmental subdivisions, or two or more local governmental subdivisions within the boundaries of a single parish, may by a majority vote of the electors of the local governmental subdivision, adopt, amend or repeal a home rule charter or plan of government, and the powers, rights, privileges, immunities, obligations and responsibilities which may be provided for therein.

C. Except as otherwise provided in this constitution, the structure, organization and form of home rule charters and plans of government shall be reserved to the local government subdivision affected thereby.”

Delegate Pugh moved the adoption of the amendment.

Delegate Lanier objected.

By a vote of 24 yeas and 88 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Champagne sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Champagne to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, line 4, immediately after the word and number “Section 7,” delete the remainder of the line and delete lines 5 through 21 both inclusive, in their entirety, and insert in lieu thereof the following:

“Every plan of government or home rule charter in existence or authorized at time of adoption of this constitution shall remain in effect but shall be subject to amendment, modification, or repeal as provided therein.”

Delegate Champagne moved the adoption of the amendment.

Delegate Kean objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman—
Abraham
Aertker
Alexander
Arnette
Avant
Badeaux
Bergeron
Brien
Brown
Carmouche
Champagne
Chehardy

Corne
Cowan
Dennis
Dunlap
Flory
Fontenot
Fulco
Goldman
Gravel
Grier
Guarisco
Hayes
Haynes

Jack
Jackson, A.
Jackson, J.
Jenkins
Kelly
Kilpatrick
Landrum
Landry, E. J.
LeBleu
LeBlanc
Leithman
Lowe
Mire
Monson

Legislative Drafting Office
Revised July 3, 2000
504
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Anzalone
Burson
Chatelain
Conino
Conroy
DeBlieux
Drew
Elkins
Fayard
Gauthier
Heine

Total—58.

Delegates—

Alario
Anzalone
Asseff
Bel
Blair
Bollinger
Burns
Burson
Casey
Chatelain
Comar
Conino
Conroy
D’Gerolamo
DeBlieux
Denery
Dennoy
DeShotel
Drew
Duval
Elkins

Total—58.

Delegates—

Berry
Cannon
Derbes
Edwards
Giarrusso
Ginn

Total—16.

AND THE AMENDMENT WAS REJECTED.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.

Delegate Gravel objected to tabling the motion to reconsider.

By a vote of 58 yeas and 54 nays the motion to reconsider was tabled.

Delegate Toomy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Toomy & Kean to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3 line 4, after “Section 7,” delete the remainder of the line and delete lines 5 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

“Every plan of government or home rule charter existing or adopted when this constitution is adopted shall remain in effect and may be amended, modified, or repealed as provided in its charter. Each local governmental subdivision which has adopted such a home rule charter or plan of government shall also retain the authority, powers, rights, privileges, duties, and immunities granted by its charter, and by the constitutional or statutory authority therefor.”

Delegate Kean moved the adoption of the amendment.

Delegate Arnette objected.

NOT VOTING

Delegates—

Mr. Chairman
Aertker
Berry
Cannon
Edwards
Giarrusso

Total—16.

And the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Conroy, Dennoy, Stovall, Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 3 line 4, after “Section 7,” delete the remainder of the line and delete lines 5 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

“Every plan of government or home rule charter existing or adopted when this constitution is adopted shall remain..."
in effect and may be amended, modified, or repealed as provided therein. Except as inconsistent with the provisions of this constitution, each local governmental subdivision which has adopted such a home rule charter or plan of government shall retain the powers, functions and duties in effect when this constitution is adopted. Each of them, if its charter permits, shall also enjoy the right to any powers and functions granted to other local governmental subdivisions.”

Delegate Conroy moved the adoption of the amendment.

Delegate Hayes objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 8. Home Rule Charter

Section 8. (A) Any local governmental subdivision may draft, adopt, or amend a charter of government to be known as a home rule charter in accordance with the provisions of this Section. The governing authority of any such local governmental subdivision may appoint a commission to prepare and propose a charter or alternate charter, or may call an election for the purpose of electing such a commission. (B) The governing authority of any such local governmental subdivision shall call an election to elect a commission to prepare and propose a charter or alternate charter when presented with a petition signed by not less than fifteen percent of the electors, who live within the boundaries of the affected subdivision, as certified by the registrar of voters. (C) A home rule charter shall be adopted when approved by a majority of the electors who vote on the charter proposal at an election called for that purpose.
(D) Two or more local governmental subdivisions situated within the boundaries of one parish may availing themselves of the provisions of this Section, provided that a majority of the electors in each affected local governmental subdivision who vote in an election held for that purpose vote in favor thereof. The legislature shall provide for the method of appointment or election of a commission to prepare and propose such a charter consistent with Paragraph (A) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision. The legislature shall provide the method by which the electors of more than one local governmental subdivision within the boundaries of one parish may petition for an election for such purpose consistent with Paragraph (B) of this Section.

(E) A home rule charter adopted pursuant to the provisions of this Section shall provide for the structure and organization, powers, and functions for the government of the local governmental subdivision, which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denulled by general law or this constitution. The legislature shall not pass any law the effect of which changes, modifies, or affects the structure and organization and/or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter. A local governmental subdivision adopting a home rule charter under this Section shall also enjoy such additional powers and functions as are granted to local governmental subdivisions under other provisions of this constitution, including Section 9 of this Article, unless the exercise of such power and performance of such functions is prohibited by its charter.

(G) The powers and functions of a parish or city school board and the offices of sheriff, clerk of the district court, coroner, or assessor shall not be affected by any provision of a home rule charter or plan of government adopted or amended under the provisions of this Section.

Read.

Delegate Pugh sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 22 through 32, both inclusive in their entirety and insert in lieu thereof the following: 

"Section 8. Home Rule Charters; Adoption; Ratification of Existing Home Rule Charters. Section 8. Any local governmental subdivision may draft, adopt, or amend a charter for its own government to be known as a home rule charter. The legislature by general law shall provide the method by which a home rule charter may be drafted and adopted. A proposal to adopt, amend, repeal, or replace a home rule charter may be made by the governing authority of the local governmental subdivision or by petition of at least fifteen percent of the electors of the local governmental subdivision filed with the official having charge of elections in the local governmental subdivision setting forth the proposed charter or amendments. The governing authority shall provide by ordinance that the charter or the amendments so proposed shall be submitted to the voters at the next election held in the local governmental subdivision not less than sixty days after its passage, or if the petition requests it, at a special election held in the local governmental subdivision not less than sixty days nor more than ninety days after its adoption. Any charter or amendment thereto so approved shall become effective at the time and under the conditions fixed in the charter.

**AMENDMENT No. 2—**

On page 4, delete lines 1 through 32, both inclusive in their entirety and on page 5 delete lines 1 through 13, both inclusive in their entirety.

Delegate Pugh moved the adoption of the amendments. Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

- Hernandez
- Alexander
- Avant
- Bergeron
- Carmouche
- Champagne
- Chehardy
- Cowen
- D’Gerolamo
- De Bileux
- Dunlap
- Flory
- Fontenot
- Fowler
- Ginn
- Goldman
- Gravel
- Guarisco
- Hayes
- Haynes

Total—60.

**NAYS**

- Alario
- Anzalone
- Arnette
- Azeff
- Badeaux
- Bel
- Blair
- Bollinger
- Brien
- Brown
- Burns
- Burson
- Casey
- Chatelain
- Comar
- Conino
- Conroy
- Corne
- Dennerly
- Dennis

Total—60.

**NOT VOTING**

- Abraham
- Aertker
- Berry
- Cannon

Total—12.

And the amendments were adopted.

Delegate Pugh moved to reconsider the vote by which the amendments were adopted, and to lay the motion to reconsider on the table.

Delegate Duval, objected to tabling the motion to reconsider.

By a vote of 46 yes and 74 nays the Convention refused to table the motion to reconsider.

Delegate Burson insisted on the motion to reconsider the vote by which the amendment was adopted.

Delegate Smith moved the previous question on the motion.

Delegate Nunez objected.

By a vote of 7 yes and 88 nays the Convention refused to order the previous question.
By a vote of 64 yeas and 48 nays the Convention reconsidered the vote by which the amendment was adopted.

Delegate Pugh moved the adoption of the amendment.

Delegate Perkins objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Hayes</td>
<td>Reeves</td>
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<tr>
<td>Avant</td>
<td>Haynes</td>
<td>Roy</td>
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<td>Brien</td>
<td>Jack</td>
<td>Segura</td>
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<td>Jackson, A.</td>
<td>Singletary</td>
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<td>Soniat</td>
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<td>Jenkins</td>
<td>Stagg</td>
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<td>D'Gerolamo</td>
<td>Lambert</td>
<td>Stephenson</td>
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<td>De Blieux</td>
<td>Landrum</td>
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<td>Gravel</td>
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<tr>
<td>Guarisco</td>
<td>Rachal</td>
<td>Womack</td>
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Delegates—50.

Delegates—Alario

Anzalone

Arnette

Asseff

Badeaux

Bel

Bergeron

Blair

Bollinger

Burns

Burson

Casey

Chatelain

Comar

Conino

Conroy

Corne

Cowen

Dennery

Dennis

Deres

DeShafios

Total—48.

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<thead>
<tr>
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<tr>
<td>Drew</td>
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<td>Dunlap</td>
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<td>Duval</td>
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<td>Fontenot</td>
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<td>Grier</td>
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<td>Hardee</td>
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<td>Hernandez</td>
<td>Sutherland</td>
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<td>Juneau</td>
<td>Tapper</td>
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<td>Kean</td>
<td>Thibodaux</td>
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<td>Kelly</td>
<td>Toomy</td>
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<td>Kilpatrick</td>
<td>Ulo</td>
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<td>Landry, A.</td>
<td>Vesch</td>
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<td>Lanier</td>
<td>Wall</td>
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<tr>
<td>LeBlanc</td>
<td>Wattigny</td>
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<td>Leigh</td>
<td>Willis</td>
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<td>Lennox</td>
<td>Winchester</td>
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<td>Lowe</td>
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Delegates—81.

Delegates—NOT VOTING

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<thead>
<tr>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Martin</td>
<td>Shannon</td>
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<td>Alexander</td>
<td>Miller</td>
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<td>Berry</td>
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<td>Brown</td>
<td>Riecke</td>
<td>Thompson</td>
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<tr>
<td>Cannon</td>
<td>Robinson</td>
<td>Weiss</td>
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</table>

Delegates—19.

And the amendment was rejected.

Delegate Kean moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Kean, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Reports of Committees**

The following reports of committees were received and read:

Delegate A. Jackson, chairman, on behalf of the Committee on Bill of Rights and Elections, submitted the following report:

**COMMITTEE PROPOSAL No. 29**

Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall, and Weiss:

A PROPOSAL

Making general provisions for elections.

By Substitute.

Respectfully submitted,

ALPHONSE JACKSON, JR.,
Chairman.

**COMMITTEE NOTICE**

Delegate Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, September 27, 1973, at 9:00 o'clock A.M., in Committee Room No. 5 and will consider the following agenda:

**AGENDA**

1. Delegate Proposal No. 54—Juneau, Leithman, Corne
2. Delegate Proposal No. 66—Robinson
3. Delegate Proposal No. 82—Robinson
4. Delegate Proposal No. 3—Asseff

Respectfully submitted,

Delegate ROBERT AERTKER
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Lambert, chairman of the Committee on Natural Resources, sent up the following notice:

The Committee on Natural Resources will meet on Friday, September 21, 1973, at 9:00 o'clock A.M., in Committee Room 5 and will consider the following agenda:

**AGENDA**

To consider the Committee’s Proposal.

Respectfully submitted,

Delegate LOUIS LAMBERT
Chairman of the Committee on Natural Resources

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will
meet on Friday, September 21, 1973, at 9:00 o'clock A.M., in Committee Room 4 and will consider the following agenda:

AGENDA
Consideration of Committee Proposals Nos. 15 and 26.
Respectfully submitted,
Delegate B. B. RAYBURN
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion
On motion of Delegate Perez the rules were suspended in order to call a meeting of the Committee on Local and Parochial Government without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local and Parochial Government will meet on Friday, September 21, 1973, at 10:00 o'clock in Committee Room 1, and will consider the following agenda:

AGENDA
Continue to discuss Committee Proposal No. 17.
Respectfully submitted,
Delegate C. O. PEREZ
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Miller—3 days.
Delegate Wattigny—1/2 day.
Delegate Tate—1 day.
Delegate Cannon—Indefinite.

Adjournment
Mr. Perez moved that the Convention do now adjourn until Friday, September 21, 1973 at 1:00 o'clock P.M.
Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Friday, September 21, 1973, at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
PRAYER

Prayer was offered by Delegate E. J. Landry.

PLEDGE OF ALLEGIANCE

Delegate Slay led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

READING OF THE JOURNAL

On motion of Delegate Lanier, the reading of the Journal was dispensed with.

On motion of Delegate Lanier, the Journal of yesterday was adopted.

MORNING HOUR

REPORTS OF COMMITTEES LYING OVER

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 2

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toea and Wisham:

A PROPOSAL

Making provisions for human resources by providing for state civil service.

Read.

Reported with the following amendments by the Committee on Education and Welfare:

COMMITTEE AMENDMENT

Amendments proposed by Committee on Education and Welfare to Committee Proposal No. 9 by Delegate Aertker et al.

Amend corrected, printed Proposal as follows:

AMENDMENT No. 1

On page 1, delete lines 4 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"Carmouche, Corne, Cowen, Flory, Grier, Hernandez, Landry, Robinson, Toea, Wattigny, and Wisham"

AMENDMENT No. 2

On page 6, line 29, after the word and punctuation "agencies," delete the remainder of the line and delete lines 30 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"(5) one private secretary for the president of each college or university, one principal assistant or deputy, one attorney, and one person holding a confidential position to any officer, board, or commission mentioned in (1), (2) and (4), except the Department of State Civil Service and the departments of city civil service, provided no appointing authority shall be required to fill any of these positions with unclassified employees, but may assign the duties of any of them to a classified employee; (6) members of the military or naval forces; (7) the teaching, professional and administrative officers of all schools, colleges and universities of the state, and bona fide students of such institutions employed by any state agency; (8) officers and employees of the legislature and of the offices of the governor, lieutenant governor, attorney general, mayors of the several cities, and city attorneys, and the Board of Liquidation of the City Debt of New Orleans; (9) commissioners of elections and watchers: custodians and deputy custodians of voting machines; (10) all persons employed and deputies selected by sheriffs, clerks of court, police juries, assessors, coronors, recorders of mortgages, registrars of conveyances, district attorneys, constables of city courts, school boards, and courts of record: (11) registrars of voters and one chief deputy for each; (12) persons employed to make or conduct a special inquiry, investigation, examination, or installation if the governor or govern-
AMENDMENT No. 17—
On page 15, line 28, after the word “hereafter” and before the word “provided” delete the word “be”

On motion of Delegate Aertker the amendments were adopted.

On motion of Delegate Aertker the Proposal, as amended, was ordered engrossed and passed to its third reading.

COMMITTEE PROPOSAL No. 10—
Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leithman, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlewaite, Toca and Wisham:

Making provisions for human resources by providing for municipal fire and police civil service.

Read.

Reported with the following amendments by the Committee on Education and Welfare.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Education and Welfare to Committee Proposal No. 10 by Delegate Aertker, et al.

Amend corrected printed Proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 4 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

“Corne, Cowen, Flory, Grier, Landry, Leithman, Rachal, Robinson, Wattigny, and Wisham”

On motion of Delegate Aertker the amendment was adopted.

On motion of Delegate Aertker the Proposal as amended, was ordered engrossed and passed to its third reading.

COMMITTEE PROPOSAL No. 20—
Introduced by Delegate A. Jackson, Chairman, on behalf of the Committee on Bill of Rights and Elections and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall, and Weiss:

A PROPOSAL
Making general provisions for elections.

Read.

Reported by substitute by the Committee on Bill of Rights and Elections.

The title to the substitute was read as follows:

COMMITTEE PROPOSAL No. 33—
Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate Jackson, Chairman on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL
Making general provisions for elections.

Read.

On motion of Delegate Jackson the substitute was adopted.

On motion of Delegate Jackson, and under a suspension of the rules, the Proposal was ordered engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 1—
Introduced by Dr. Asself:

A PROPOSAL
For supplemental pay increases for state policemen.

Read.

Reported unfavorably by the Committee on Education and Welfare.
Delegate Aertker the Proposal was withdrawn.

DELEGATE PROPOSAL No. 27—
Introduced by Delegate Dennery.

A PROPOSAL
To establish state and city civil service.

Read.

Reported unfavorably by the Committee on Education and Welfare.

Delegate Flory moved that the Proposal be withdrawn.

As a substitute Delegate Dennery moved that the Proposal be engrossed and passed to its third reading.

Delegate Flory objected.

The vote recurred on the substitute motion.

By a vote of 67 ayes and 40 nays the Convention ordered to Proposal engrossed and passed to its third reading.

Delegate Dennery moved to reconsider the vote by which the Proposal was ordered engrossed and passed to its third reading, and on his own motion, the motion to reconsider was laid on the table.

DELEGATE PROPOSAL No. 28—
Introduced by Delegate Dennery.

A PROPOSAL
Relative to transition for members of the State Civil Service Commission.

Read.

Reported unfavorably by the Committee on Education and Welfare.

Delegate Flory moved that the Proposal be withdrawn.

As a substitute Delegate Dennery moved that the Proposal be engrossed and passed to its third reading.

The vote recurred on the substitute motion.

By a vote of 66 ayes and 45 nays the Convention ordered the Proposal engrossed and passed to its third reading.

On motion of Delegate Dennery the vote by which the Proposal was ordered engrossed and passed to its third reading, and on his own motion, the motion to reconsider was laid on the table.

DELEGATE PROPOSAL No. 65—
Introduced by Delegate Roy.

A PROPOSAL
Making provisions regarding civil service employment.

Read.

Reported with the following amendments by the Committee on Education and Welfare.

COMMITTEE AMENDMENT
Amendment proposed by the Committee on Education and Welfare to Delegate Proposal No. 65 by Delegate Roy.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, line 11 after the words "may be" delete the remainder of the line and insert in lieu thereof the following: "subjected to disciplinary action except for just cause and without"

On motion of Delegate Roy the amendment was adopted.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Resolutions
Delegate and Committee

The following entitled Delegate and Committee Resolutions were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Cheese, Corino, D’Geralmo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo and Zervigon.

A PROPOSAL
Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Section 8. Home Rule Charter

Section 8. (A) Any local governmental subdivision may draft, adopt, or amend a charter of government to be known as a home rule charter in accordance with the provisions of this Section. The governing authority of any such local governmental subdivision may appoint a commission to prepare and propose a charter, or may call an election for the purpose of electing such a commission.

(B) The governing authority of any such local governmental subdivision shall call an election to elect a commission to prepare and propose a charter or alternate charter when presented with a petition signed by not less than fifteen percent of the electors who live within the boundaries of the affected subdivision, as certified by the registrar of voters.

(C) A home rule charter shall be adopted when approved by a majority of the electors who vote on the charter proposal at an election called for that purpose.

(D) Two or more local governmental subdivisions situated within the boundaries of one parish may avail themselves of the provisions of this Section, provided that a majority of the electors in each affected local governmental subdivision who vote in an election held for that purpose vote in favor thereof. The legislature shall provide for the method of appointment or election of a commission to prepare and propose such a charter consistent with Paragraph (A) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision. The legislature shall provide the method by which the electors of more than one local governmental subdivision within the boundaries of one parish may petition for an election for such purpose consistent with Paragraph (B) of this Section.

(E) A home rule charter adopted pursuant to the provisions of this Section shall provide for the structure and organization, powers, and functions for the government of the local governmental subdivision, which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denied by general law or this constitution. The legislature shall not pass any law the effect of which changes, modifies, or affects the structure and organization and/or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter.

(F) A local governmental subdivision adopting a home rule charter under this Section shall also enjoy such additional powers and functions as are granted to local governmental subdivisions by other provisions of this constitution, including Section 9 of this Article, unless the exercise of such powers and functions is prohibited by its charter.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 17, Section 8, when it adjourned on Thursday, September 20, 1973, which was taken up and acted upon as follows:

Delegate Roemer sent up floor amendments, which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegates Roemer, Kelly, Ginn, Mire, Stovall, Brown, Edwards, Flory, A. Jackson, Fulco, Avant, Leithman, Newton, and Bergeron Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 22 through 32, both inclusive in their entirety, and insert in lieu thereof the following:

"Section 8. Home Rule Charters

Section 8. Except as may be inconsistent with the provisions of this constitution, any local governmental subdivision or subdivisions may draft, adopt, amend, or repeal a home rule charter. A proposal to adopt, amend or repeal a home rule charter may be made by the governing authority or by petition of at least ten percent of the voters or ten thousand electors, which ever is the lesser, of the governmental subdivision or subdivisions affected thereby. Such proposal shall be filed with the officials having charge of election and with the governing authority. It shall fully set forth the proposed charter, amendment or other proposal. The governing authority shall provide by ordinance that the proposal shall be submitted to the electors at the next scheduled election held in the local governmental subdivision or subdivisions not less than sixty days after its passage, or, if requested in the petition, at a special election held not less than sixty days nor more than ninety days after adoption of the ordinance. Any such charter, amendment, or repeal shall become effective upon the approval of a majority of those electors voting of the governmental subdivision or subdivisions affected thereby."

AMENDMENT No. 2—
On page 4, delete lines 1 through 32, both inclusive in their entirety and one page 5, delete lines 1 through 13, both inclusive in their entirety.

Delegate Roemer moved the adoption of the amendment.
Delegate Stagg objected.

A record vote was asked for and ordered by the convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Aerkker
Alexander
Ant
Blair
Brown
Cannon
D’Gerolamo
De Bleux
Dunlap
Edwards
Flory
Fontenot
Fowler
Fulco
Ginn
Goldman
Gravel
Total—57.

NAYS

Delegates—
Abraham
Alario
Anzalone
Arnette
Assessment
Badeaux
Bolgeron
Bollinger
Burns
Burson
Cammouche
Casey
Champagne
Chatelain
Comar
Conino
Conroy
Corne
Cowan
Dennery
Dennis

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

AMENDMENT No. 1—
On page 3, line 23, after "(A)" delete the word "Any" and insert in lieu thereof the following: "Subject to and not inconsistent with the provisions of this constitution, any"

Delegate Gravel moved the adoption of the amendment.
Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

Components not presented.

Sadnoz
Smith
Stagg
Stinson
Sutherland
Tapper
Toomy
Wall
Weiss
Willis
Winchester
Zervigon

NOT VOTING

Delegates—
Mauborret
Miller
Monson
Pugh
Shannon
Total—14.

And the amendments were rejected.

Delegate Perez moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jackson sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Bergeron and J. Jackson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 4, line 2, immediately after the word "electors" and before the word "which" delete the word "fifteen" and insert in lieu thereof the word "ten"

AMENDMENT No. 2—
On page 4, line 2, immediately after the word "electors" and before the word "who" delete the comma ",", and insert in lieu thereof the following: "or ten thousand electors, which ever is the lesser,"

Delegate J. Jackson moved the adoption of the amendment.
Delegate Perez object.

By a vote of 102 yeas, and 11 nays the amendments were adopted.

Delegate J. Jackson moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

AMENDMENT No. 1—
On page 3, line 23, after "(A)" delete the word "Any" and insert in lieu thereof the following: "Subject to and not inconsistent with the provisions of this constitution, any"

Delegate Gravel moved the adoption of the amendment.
Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Gravel</td>
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<tr>
<td>Aertker</td>
<td>Roy</td>
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<tr>
<td>Alexander</td>
<td>Guarisco</td>
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<td>D’Geralamo</td>
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<td>De Bieaux</td>
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<td>Floyer</td>
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<td>Fulco</td>
<td>Royer</td>
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<td>Ginn</td>
<td>Total 49</td>
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**NAYS**

<table>
<thead>
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<td>Abraham</td>
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<td>Alario</td>
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<td>Total 25</td>
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**NOT VOTING**

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<tr>
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<td>Glenn</td>
<td>Pugh</td>
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<td>Total 18</td>
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</table>

And the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 4, line 28, before the word “by” delete the words “not denied” and insert in lieu thereof the word “authorized.”

Delegate Jenkins moved the adoption of the amendment.
Delegate Kean objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
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<tbody>
<tr>
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<td>Pugh</td>
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<td>Total 18</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 4, line 28, before the word “or” delete the words “inconsistent with any provision of”.

Delegate Gravel moved the adoption of the amendment.
Delegate Perez objected.
By a vote of 78 yeas and 22 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennis to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 5, after the words “on the” and before the partial word “pro-“ delete the word “charter”

On motion of Delegate J. Jackson the amendments were adopted.

Delegate J. Jackson moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

Amendment proposed by Delegate Arnette to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

**AMENDMENT No. 1—**

On page 5, line 6, immediately before the word “unless” delete the following:

“including Section 9 of this Article.”

On motion of Delegate Champagne, the amendment was adopted.

Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Gravel, A. Landry, Martin, Edwards, Mire to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 5, delete lines 9 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

“(G) No home rule charter shall contain any provisions affecting any of the following offices: judge or justice of any district, appellate, or supreme court, district attorney, parish or city school board, sheriff, clerk of the district court, coroner, or assessor, which is inconsistent with the constitution or any law now or hereafter enacted.”

On motion of Delegate Gravel the amendment was withdrawn.

**Motion**

On motion of Delegate Perez, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Leave of Absence**

Delegate Bel—2 days.

**Adjournment**

Delegate Abraham moved that the Convention do now adjourn until Saturday, September 22, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, September 22, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY  
Secretary

DAVID R. POYNTER  
Chief Clerk
ROLL CALL

The roll being called, the following delegates answered to their names.

PRESENT

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Present Delegate Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Flory Perlez</td>
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<tr>
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<td>Fontenot Perkins</td>
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<td>Lennox Vessich</td>
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<td>Lowe Vick</td>
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<td>Dennerie</td>
<td>McDaniel Wall</td>
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<td>Martin Warren</td>
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Total—113.

ABSENT

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<tr>
<td>Berry</td>
<td>Kilbourne Slay</td>
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<tr>
<td>Chehardy</td>
<td>Landry, A. Stagg</td>
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<td>Edwards</td>
<td>Miller Stovall</td>
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<tr>
<td>Fowler</td>
<td>Pugh Womack</td>
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<tr>
<td>Giarrusso</td>
<td>Rachel</td>
</tr>
<tr>
<td>Hardee</td>
<td>Shannon</td>
</tr>
</tbody>
</table>

Total—19.

The Chairman announced that there were 113 members present and a quorum.

Prayer

Prayer was offered by Delegate Goldman.

Pledge of Allegiance

Delegate Kelly led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Stephenson, the reading of the Journal was dispensed with.

On motion of Delegate Stephenson, the Journal of yesterday was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ulio and Zervigon:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Section 8. Home Rule Charter

Section 8. (A) Any local governmental subdivision may draft, adopt, or amend a charter of government to be known as a home rule charter in accordance with the provisions of this Section. The governing authority of any such local governmental subdivision may appoint a commission to prepare and propose a charter or alternate charter, or may call an election for the purpose of electing such a commission.

(B) The governing authority of any such local governmental subdivision shall call an election to elect a commission to prepare and propose a charter or alternate charter when presented with a petition signed by not less than fifteen percent of the electors who live within the boundaries of the affected subdivision, as certified by the registrar of voters.

(C) A home rule charter shall be adopted when approved by a majority of the electors who vote on the charter proposal at an election called for that purpose.

(D) Two or more local governmental subdivisions situated within the boundaries of one parish may avail themselves of the provisions of this Section, provided that a majority of the electors of each affected local governmental subdivision who vote in an election held for that purpose vote in favor thereof. The legislature shall provide for the method of appointment or election of a commission to prepare and propose such a charter consistent with Paragraph (A) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision. The legislature shall provide the method by which the electors of more than one local governmental subdivision within the boundaries of one parish may petition for an election for such purpose consistent with Paragraph (B) of this Section.

(E) A home rule charter adopted pursuant to the provisions of this Section shall provide for the structure and organization, powers, and functions for the government of the local governmental subdivision, which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denied by general law or this Constitution. The legislature
shall not pass any law the effect of which changes, modifies, or affects the structure and organization and/or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter.

(F) A local governmental subdivision adopting a home rule charter under this Section shall also enjoy such additional powers and functions as are granted to local governmental subdivisions by other provisions of this constitution, including Section 9 of this Article, unless the exercise of such powers and performance of such functions is prohibited by its charter.

(G) The powers and functions of a parish or city school board and the offices of sheriff, clerk of the district court, coroner, or assessor shall not be affected by any provision of a home rule charter or plan of government adopted or amended under the provisions of this Section.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 17, Section 6, when it adjourned on Friday, September 17, 1973, which was taken up and acted upon as follows:

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Avant and Dennis to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
ON page 5, delete lines 9 through 13, in their entirety and insert in lieu thereof the following:

"(G) The structure and organization, the powers and functions and/or the particular distribution and redistribution of the powers and functions of a parish or city school board, any court or its clerk or other personnel, the clerk of a district court, the offices of sheriff, coroner, district attorney, or assessor shall not be affected by any provision of a home rule charter or plan of government adopted or amended under the provisions of this Section."

Delegate Avant moved the adoption of the amendment

Delegate Perez objected.

By a vote of 23 yeas and 71 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.

Delegate Dennis objected to tabling the motion to reconsider.

By a vote of 69 yeas and 24 nays the motion to reconsider was tabled.

Delegate Abraham sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Abraham to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 5, delete lines 9 through 13, both inclusive, in their entirety.

Delegate Abraham moved the adoption of the amendment

Delegate Perez objected.

By a vote of 15 yeas and 80 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Gravel, A. Landry, Martin, Edwards, Mire to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, strike out lines 9 through 13 both inclusive in their entirety and insert the following:

"(G) No home rule charter or plan of local government shall contain any provision inconsistent with this constitution or any law now or hereafter enacted which affects the offices of district attorney, sheriff, assessor, clerk of a district court, coroner, parish school board, or city school board."

Delegate Gravel moved the adoption of the amendment.

Delegate Willis objected.

By a vote of 92 yeas and 9 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Dennery to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 5, between lines 13 and 14, add the following paragraph:

"(H) The provisions of this Section shall not apply to any local governmental subdivision covered by Section 7 of this Article unless its charter permits, or unless its charter is repealed."

On motion of Delegate Dennery the amendment was withdrawn.

FLOOR AMENDMENT
Amendment proposed by Delegate Champagne to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, delete lines 9 through 13, both inclusive, in their entirety, and strike out Convention Floor Amendment No. 1 proposed by Delegate Gravel, et al., and adopted by the Convention on September 22, 1973, and insert in lieu thereof the following:

"(G) No constitutional office or the powers and functions exercised by it shall be affected by the provisions of this Section."

Delegate Champagne moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 21 yeas and 76 nays the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Dennis and Tate to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
**AMENDMENT No. 1—**

On page 5, between lines 13 and 14, add the following:

"(H) Notwithstanding any provision of this Article to the contrary, the courts and their officers may be established or affected only as provided in Article V of this constitution."

Delegate Dennis moved the adoption of the amendment.

Delegate Schmitt objected.

By a vote of 96 yeas and 3 nays the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kelly sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Kelly to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 22 through 32, both inclusive, in their entirety, including all Convention Floor Amendments thereto and insert in lieu thereof the following:

"Section 8. Home Rule Charters

Section 8. (A) Except as may be inconsistent with the provisions of this constitution, any local governmental subdivision or contiguous subdivisions may draft, adopt, amend, or repeal a home rule charter.

(B) A proposal to adopt, amend, or repeal a home rule charter may be made by the governing authority or by petition of at least ten percent of the electors or ten thousand electors, whichever is the lesser, of the governmental subdivision or subdivisions affected thereby, except as otherwise provided in existing home rule charters.

(C) Two or more local governmental subdivisions situated within the boundaries of one parish may avail themselves of the provision of this Section provided that a majority of the electors in each affected local governmental subdivision who vote in an election held for that purpose vote in favor thereof.

(D) Such proposal shall be filed with the officials having charge of election and with the governing authority. It shall fully set forth the proposed charter, amendment, or other proposal. The governing authority shall provide by ordinance that the proposal shall be submitted to the governmental subdivision or subdivisions not less than sixty days after its passage, or, if requested in the petition, at a special election held not less than sixty days nor more than ninety days after adoption of the ordinance. Any such charter, amendment, or repeal shall become effective upon the approval of a majority of the electors voting in the governmental subdivision or subdivisions affected thereby.

(E) The legislature shall provide for the method of appointment or election of a commission to prepare and propose such charter or charters.

(F) The legislature shall not pass any law which changes or modifies either the structure or organization of any such local governmental subdivision which operates under a home rule charter, except as otherwise provided in this constitution."

**AMENDMENT No. 2—**

On page 4, delete lines 1 through 32, both inclusive, in their entirety and on page 5, delete lines 1 through 13, both inclusive, in its entirety including all Convention Floor Amendments thereto.

Delegate Kelly moved the adoption of the amendment.

Delegate Schmitt objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

### YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Aertker</td>
<td>Guarisco</td>
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<td>Avant</td>
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<td>Leithman</td>
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<tr>
<td>Gravel</td>
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<td>Total—32.</td>
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### NAYS

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<td>DeLeuw</td>
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### NOT VOTING

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<tr>
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<td>Fayard</td>
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<td>Gauthier</td>
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<td>Grier</td>
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<td>Lowe</td>
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<td>McDaniels</td>
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<td>Zervigon</td>
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<td>Total—25.</td>
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</tbody>
</table>

And the amendments were rejected.

Delegate Perez moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 17, Section 8, was read as amended.

Delegate Perez moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

### YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
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<td>Chatelain</td>
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### COMMISSIONERS

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518
52nd Days Proceedings—September 22, 1973

<table>
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<tr>
<td>Kilpatrick</td>
<td>Sandoz</td>
<td>Zervigon</td>
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</table>

Total—69.

**NAYS**

- Haynes
- Jackson, A.
- Jackson, J.
- Kelly
- Lambert
- Landrum
- Landry, E. J.
- Leithman
- Mire
- Newton
- Robinson
- Roemer
- Roy
- Segura
- Stephenson
- Tate
- Tobias
- Toca
- Ullo
- Velazquez
- Wall
- Warren
- Wattigny
- Wisham

Total—37.

**NOT VOTING**

- Edwards
- Fowler
- Giarrusso
- Jenkins
- Kilbourne
- Landry, A.
- Miller
- Munson
- O'Neill
- Pugh
- Rachal
- Rayburn

And the Chair declared that the above Section was passed.

**Motion**

Delegate Arnette moved that the Convention take up other Orders of Business at this time.
Delegate Dennis objected.

By a vote of 70 yea and 27 nays the Convention took up other orders of business.

**Leave of Absence**

- Delegate Stagg—1 day.
- Delegate Fowler—1 day.
- Delegate Jenkins—1 day.
- Delegate A. Landry—1 day.
- Delegate Chehardy—1 day.
- Delegate Giarrusso—Indefinite.
- Delegate Rachal—1 day.
- Delegate Kilbourne—1 day.

**Adjournment**

Delegate Abraham moved that the Convention do now adjourn until Tuesday, September 25, 1973, at 1:00 o'clock P.M.

As substitute Delegate Boilinger moved that the Convention do now adjourn until Tuesday, September 25, 1973, at 9:00 o'clock A.M.

The vote recurred on the longest period of time.

By a vote of 65 yea and 34 nays the Convention adjourned until Tuesday, September 25, 1973, at 1:00 o'clock P.M.

And Chairman Henry declared the Convention adjourned to Tuesday, September 25, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

519
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

FIFTY-THIRD DAY’S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Tuesday, September 25, 1973, Baton Rouge, La.

The Convention was called to order at 1:00 o’clock p.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman—Fontenot
Abraham—Fowler
Aerker—Gautier
Alario—Ginn
Alexander—Goldman
Anzalone—Gravel
Arnette—Grier
Aseff—Guarisco
Avant—Hardee
Badeaux—Hayes
Bergeron—Hayes
Bollinger—Heine
Brian—Hernandez
Brown—Jackson, J.
Burns—Jenkins
Burson—Juneau
Cannon—Kean
Carmouche—Kelly
Casey—Killbourne
Champagne—Kilpatrick
Chatelain—Landrum
Chehardy—Landry, E. J.
Comar—Lanier
Conin—Leithman
Conroy—Lennox
Corne—Lowe
Cotten—McDaniel
DeBlieux—Martin
Dennery—Mauberret
Dehotels—Miller
Drew—Mire
Dunlap—Monson
Duvall—Newton
Edward—Nunez
Elkias—O’Neill
Fryard—Ourso
Flory—

Total—112.

ABSENT

Delegates—
Bel—Jackson, A.
Berry—Lambert
D’Gerolamo—Landry, A.
Dennis—LeBlu
Derr—Leigh
Giarusso—Pugh
Jack—Rachel

Total—20.

The Chairman announced that there were 112 members
present and a quorum.

Prayer

Prayer was offered by Delegate Heine.

Pledge of Allegiance

Delegate Shannon led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Roy, the reading of the Journal was

dispensed with.

On motion of Delegate Roy, the Journal of yesterday was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday was

taken up and acted on.

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of
the Committee on Local and Parochial Government, and
Delegates Burzon, Canım, Chatelain, Cenina, D’Gerolamo, Fowler,
Giarusso, Haye, Heine, J. Jackson, Kean, Lanier,
Reeves, Shannon, Stephenson, Taylor, Tomoy, Ullo and Zervigon:

A PROPOSAL

Making general provisions for local and parochial govern-
ment, leves districts, and ports, the financing thereof, and
necessary provisions with respect thereto.

Read.

The chairman announced that the Convention had under
consideration Committee Proposal No. 17 when it adjourned on
Saturday, September 22, 1973, which was taken up and
acted upon as follows:

Section 9. Powers of Other Local Governmental Subdivisions

Section 9. (A) Any other local governmental subdivision
may exercise any power and perform any function neces-
sary, requisite, or proper for the management of its affairs
not denied to it by its charter, by this constitution, or by
general law, including but not limited to the power (1) to
legislate upon, regulate, conduct, and control all matters of
local governmental administration; (2) to define the powers,
duties, and qualifications of parochial or municipal employees;
(3) to provide for the protection of the public health, safety,
morals, and welfare; (4) to create special districts; (5) to
license; (6) to tax under; the limitations provided in this con-
stitution or by general law; (7) to incur debt and issue bonds,
except as otherwise provided in this constitution.

(B) Any local governmental subdivision may exercise any
power or perform any function concurrently with the state
pertaining to its government and affairs to the extent that
the legislature by general law does not specifically limit the
concurrent exercise of any such power or performance of any
such function or specifically declare the state’s exercise of
any such power or performance of any such function to be
exclusive except as provided in this Article.

(C) The powers granted in this Section shall not be con-
strued to affect the powers and functions of a parish or city
school board and the offices of sheriff, clerk of a district
court, coroner, or assessor.

Read.

Delegate Conroy sent up floor amendments, which were
read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Conroy to Committee
Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed Proposal as follows:

520
AMENDMENT No. 1—
On page 5, delete lines 17 through 28, both inclusive, and insert in lieu thereof the following:
"shall have such powers as shall be provided by this constitution or by law."

AMENDMENT No. 2—
On page 5, delete lines 29 through 32, both inclusive and on page 6, delete lines 1 through 4

AMENDMENT No. 3—
On page 6, delete lines 5 through 8, both inclusive, in their entirety

Delegate Tobias moved the previous question on the amendments.
Deputy Lanier objected.

By a vote of 10 yeas and 81 nays the Convention refused to order the previous question at this time.

Delegate Conroy moved the adoption of the amendments.
Deputy Lanier objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goldman</td>
<td>Robinson</td>
</tr>
<tr>
<td>Gravel</td>
<td>Roemer</td>
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<tr>
<td>Guariaco</td>
<td>Roy</td>
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<td>Hayes</td>
<td>Shannon</td>
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<td>Jackson, J.</td>
<td>Say</td>
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<td>Jenkins</td>
<td>Soniat</td>
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<td>Kelly</td>
<td>Stephenson</td>
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<td>Kilpatrick</td>
<td>Stoval</td>
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<tr>
<td>Landrum</td>
<td>Tapper</td>
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<tr>
<td>Landry, E. J.</td>
<td>Thompson</td>
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<tr>
<td>Leithman</td>
<td>Tobias</td>
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<td>Mire</td>
<td>Toca</td>
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<td>Munson</td>
<td>Vesich</td>
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<td>Newton</td>
<td>Vick</td>
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<tr>
<td>O'Neill</td>
<td>Warren</td>
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<tr>
<td>Rayburn</td>
<td>Wisham</td>
</tr>
<tr>
<td>Womack</td>
<td></td>
</tr>
</tbody>
</table>

Total—51.

Delegates—
Abraham
Alario
Anzalone
Arnette
Asseff
Badeaux
Bollinger
Brown
Burns
Burson
Carmouche
Casey
Chateiain
Connio
Corne
Cowan
Dennery
Deshotels

NOT VOTING

Delegates—
Aerkker
Bel
Berry
D'Gerolamo

Landry, A.
LeBlond
Leigh
Martin
Mourso
Pugh

Total—28.

And the amendments were rejected.

Delegate Perez moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, line 16, after "(A)" delete the word "Any" and insert in lieu thereof "Subject to and not inconsistent with any provision of this constitution, any," and on line 19 after the word and punctuation "charter," delete the words and punctuation "by this constitution,"

On motion of Delegate Gravel the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Bollinger sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Bollinger to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, line 20, after the word "law" change the comma "," to a period "." and delete the remainder of the line and delete lines 21 through 28 both inclusive in their entirety.

On motion of Delegate Bollinger the amendment was adopted.

Delegate Bollinger moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Arnette to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, line 19, immediately after the words "to it" and before the words "by this" delete the words and punctuation "by its charter,"

On motion of Delegate Arnette the amendment was withdrawn.

Delegate Jenkins sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, line 20, after the words "general law" delete the period "." inserted by Floor Amendment No. 1, proposed by Delegate Bollinger and adopted by the convention on September 25, 1973, and add the following:
"or preempted by general law."
AMENDMENT No. 2—
On page 5, delete lines 29 through 32, both inclusive in their entirety, and on page 6 delete lines 1 through 4, both inclusive in their entirety.

On motion of Delegate Champagne a division of the question was ordered.

Delegate Jenkins moved the adoption of the amendment No. 1.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Alexander
Avant
Chenard
Conroy
De Blieux
Dunlap
Flory
Ginn
Gravel
Guarisco
Suarez

Total—35.

NAYS

Delegates—
Abraham
Aznalvaro
Arnette
Asseff
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Burton
Cannon
Carmouche
Casey
Champagne
Chatelain
Ceno
Corne
Cowen
Denney
Deshots

Total—62.

NOT VOTING

Delegates—
Mr. Chairman
Aertker
Bel
Berry
Brien
D’Gerolamo
Dennis
Derbes
Edwards
Fayard
Giarussi
Goldman

Total—34.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez moved the adoption of the amendment No. 2.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Alario
Avant
Blair
Chenard
Champagne
Conroy
De Blieux
Dunlap
Flory
Ginn
Gravel
Guarisco

Total—35.

NAYS

Delegates—
Abraham
Aznalvaro
Arnette
Asseff
Badeaux
Bergeron
Bollinger
Burns
Burson
Cannon
Carmouche
Casey
Chatelain
Comar
Conino
Corne
Cowen
Denney
Deshots
Drew

Total—61.

NOT VOTING

Delegates—
Aertker
Bel
Berry
Brien
Brown
D’Gerolamo
Dennis
Derbes
Edwards
Fayard
Giarussi
Goldman

Total—36.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete line 5 in its entirety and insert in lieu thereof the following:

"[(C) Nothing contained in this Section shall be con.]"
AMENDMENT No. 2—

On page 6, line 7, immediately after the words "offices of" and before the word "sheriff" insert the words and punctuation "district attorney."

On motion of Delegate Gravel the amendments were adopted.

Delegate Gravel moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias moved the previous question on the entire subject matter.

Delegate Arnette objected.

By a vote of 17 yeas and 71 nays the Convention refused to order the previous question.

Passage

Committee Proposal No. 17, Section 9, was read, as amended.

Delegate Lanier moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegates—

Abernathy

Aberlin

Anzalone

Arnette

Asseff

Badeaux

Barger

Bollinger

Brown

Burns

Burton

Carmouche

Casey

Chamagne

Chatelain

Conlin

Cone

Cowan

Dennery

Diebolt

Drew

Duval

Elkins

Fayard

Fournet

Gauthier

Grier

Hardee

Heine

Hernandez

Juneau

Kean

Kibbourn

Lanier

Lennox

Lowe

McDaniel

Mauberret

Miller

Nunez

Perez

Perkins

Planchard

Sandoz

Schmitz

Singletary

Slay

Smith

Stagg

Sutherland

Thistlethwaite

Thompson

Tyoo

Wattigny

Weiss

Willis

Winchester

Zervigon

**NAYS**

Delegates—

Guiracso

Hayes

Haynes

Jackson, J.

Jenkins

Kelly

Kilpatrick

Landrum

Landry, E. J.

Leithman

Mire

Newton

Rayburn

Robinson

Roemer

Roy

Shannon

Sonnier

Stephenson

Siovall

Tanner

Tobias

Toca

Vesich

Vick

Vick

Wall

Warren

Wisbom

**NOT VOTING**

Delegates—

Mr. Chairman

Bea

Berry

Cannon

D’Gravois

Dennis

Derbes

Edwards

Giarussro

Goldman

Jackson

Lambert

Landry, A.

LeBlanc

Leigh

Martin

Munson

O’Neill

Riecke

Uullo

Ours

Segura

Uelazquez

Pugh

Silverberg

Womack

Rachal

Stinson

Reeves

Tate

Total—31.

Failed to pass.

Delegate Kean moved to reconsider the vote by which the Section failed to pass on the next convention day.

Delegate Conroy moved to table the motion to reconsider.

Delegate Perez objected.

By a vote of 41 yeas and 38 nays the Convention refused to table the motion to reconsider.

Motion to reconsider pending.

Section 10. Powers of Local Governmental Subdivisions; Liberal Construction

Section 10. Powers and functions of local governmental subdivisions shall be construed liberally in favor of such local governmental subdivisions.

Read.

Delegate Abraham sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Abraham to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 9 through 13, both inclusive, in their entirety.

Delegate Abraham moved the adoption of the amendment.

Delegate Burson objected.

By a vote of 54 yeas and 37 nays the amendment was adopted.

Delegate Abraham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 11. Home Rule Parish; Incorporation of Cities, Towns, and Villages

Section 11. When two-thirds of the electors, as certified by the registrar of voters, of an unincorporated settlement in any parish operating under a home rule charter or a home rule plan of government that is in effect at the time the petition is presented to the governor, shall present to the governor a petition and meet other necessary requirements as set forth under the general laws providing for the incorporation of cities, towns, and villages, such cities, towns, and villages may be incorporated. However, no such newly incorporated area shall include any property previously included in any other district.

Read.

Motion

Delegate O’Neill moved that further action be deferred until the next day upon which the Convention meets.

Delegate Perez objected.

By a vote of 24 yeas and 63 nays the Convention refused to defer action on the Section at this time.

Delegate Haynes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Haynes to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
words “of the” delete the word “two-thirds” and insert in lieu thereof the words “a majority”

Delegate Haynes moved the adoption of the amendment.
Delegate Kean objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Delegates</td>
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<tr>
<td>Mr. Chairman</td>
<td>Flory</td>
<td>Reeves</td>
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<tr>
<td>Abraham</td>
<td>Fowler</td>
<td>Roemer</td>
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<td>Aerkker</td>
<td>Pulco</td>
<td>Roy</td>
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<tr>
<td>Alario</td>
<td>Goldman</td>
<td>Schmitt</td>
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<td>Anzalone</td>
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<td>Singlelary</td>
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<td>Arnette</td>
<td>Guarisco</td>
<td>Slay</td>
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<td>Avant</td>
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<td>Stagg</td>
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<td>Bergeron</td>
<td>Hayes</td>
<td>Stephenson</td>
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<td>Blair</td>
<td>Jackson, J.</td>
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<td>Brien</td>
<td>Jenkins</td>
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<td>Brown</td>
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<td>Carmouche</td>
<td>Kilpatrick</td>
<td>Thompson</td>
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<td>Champagne</td>
<td>Landrum</td>
<td>Tobias</td>
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<tr>
<td>Chatalean</td>
<td>Landry, E. J.</td>
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<td>Comsr</td>
<td>Lowe</td>
<td>Vick</td>
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<tr>
<td>De Blieux</td>
<td>Martin</td>
<td>Wall</td>
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<tr>
<td>Denney</td>
<td>Mire</td>
<td>Warren</td>
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<td>Dunlap</td>
<td>Newton</td>
<td>Winchester</td>
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<td>Duval</td>
<td>O’Neill</td>
<td>Wisham</td>
</tr>
<tr>
<td>Fuyard</td>
<td>Perkins</td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

| NAYS       |                        |                        |
| Delegates  |                        |                        |
| Badeaux    | Heine                  | Planchard              |
| Bollinger  | Hernandez             | Robinson               |
| Burson     | Juneau                | Sandoz                 |
| Casey      | Kean                  | Smith                  |
| Conino     | Lanier                | Thistlethwaite         |
| Conroy     | Lennox                | Tobis                  |
| Corne      | Mcdaniel              | Vesich                 |
| Cowen      | Mauberret             | Vick                   |
| Ekins      | Miller                | Wall                   |
| Gauthier   | Nunez                 | Warren                 |
| Grier      | Perez                 | Winchester             |

| NOT VOTING |                        |                        |
| Delegates  |                        |                        |
| Alexander  | Giarrusso              | Rachal                 |
| Bel        | Ginn                   | Rayburn                |
| Berry      | Jack                   | Riecke                 |
| Burns      | Jackson, A.            | Segura                 |
| Cannon     | Kelly                  | Shannon                |
| Chehardy   | Lambert               | Silverberg             |
| D’Gerolamo | Landry, A.            | Stinson                |
| Dennis     | LeBlue                 | Tate                   |
| Derbes     | Leigh                  | Ullo                   |
| Deshotels  | Leithman              | Velazquez              |
| Drew       | Munson                | Womack                 |
| Edwards    | Oursou                |                        |
| Fontenot   | Pugh                  |                        |

And the amendment was adopted.

Delegate Haynes moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kean sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposal by Delegate Kean to Committee Proposal No. 17 by Delegate Perez, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 14 through 25, both inclusive, in their entirety.
Delegate Kean moved the adoption of the amendment.
Delegate J. Jackson objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

| YEAS       |                        |                        |
| Delegates  |                        |                        |
| Badeaux    | Hernandez             | Robinson               |
| Bollinger  | Juneau                | Sandoz                 |
| Casey      | Kean                  | Smith                  |
| Conino     | Lanier                | Thistlethwaite         |
| Conroy     | Lennox                | Tobias                 |
| Corne      | Lowe                  | Tompy                  |
| Cowen      | McDaniel              | Wattigny               |
| Deshotels  | Miller                | Weiss                  |
| Ekins      | Nunez                 | Willis                 |
| Gauthier   | Perez                 | Winchester             |
| Grier      | Perkins               |                        |
| Heine      |                         |                        |
| Total—35.  |                        |                        |

| NAYS       |                        |                        |
| Delegates  |                        |                        |
| Badeaux    | Heine                  | Planchard              |
| Bollinger  | Hernandez             | Robinson               |
| Burson     | Juneau                | Sandoz                 |
| Casey      | Kean                  | Smith                  |
| Conino     | Lanier                | Thistlethwaite         |
| Conroy     | Lennox                | Tobis                  |
| Corne      | Mcdaniel              | Vesich                 |
| Cowen      | Mauberret             | Vick                   |
| Ekins      | Miller                | Wall                   |
| Gauthier   | Nunez                 | Warren                 |
| Grier      | Perez                 | Winchester             |

| NOT VOTING |                        |                        |
| Delegates  |                        |                        |
| Alexander  | Giarrusso              | Rachal                 |
| Anzalone   | Ginn                   | Rayburn                |
| Bel        | Jack                   | Riecke                 |
| Berry      | Jackson, A.            | Segura                 |
| Burns      | Kelly                  | Shannon                |
| Cannon     | Kilpatrick            | Silverberg             |
| Chehardy   | Lambert               | Stinson                |
| D’Gerolamo | Landry, A.            | Tate                   |
| Dennis     | LeBlue                 | Ullo                   |
| Derbes     | Leigh                  | Velazquez              |
| Drew       | Leithman              | Womack                 |
| Edwards    | Munson                |                        |
| Fuyard     | Oursou                |                        |
| Total—37.  |                        |                        |

And the amendment was rejected.
Delegate Reeves moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Thompson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposal by Delegate Thompson, Roemer, and Slay to Committee Proposal No. 17 by Delegate Perez, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 23, after the partial word and punctuation
“rated.” Delete the remainder of the line and delete lines 24 and 25 in their entirety.

Delegate Thompson moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
<th>Delegates—</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Avant</td>
<td>Goldman</td>
<td>Schmitt</td>
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<tr>
<td>Badeaux</td>
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<td>Ginn</td>
<td>Roy</td>
<td>Wisham</td>
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<tr>
<td>Total—51.</td>
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</tbody>
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YEAS

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<th>Delegates—</th>
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<td>Aertker</td>
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<td>Robinson</td>
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<td>Asseff</td>
<td>Jenkins</td>
<td>Sandoz</td>
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<td>Bollinger</td>
<td>Juneau</td>
<td>Stagg</td>
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<td>Conino</td>
<td>Kean</td>
<td>Sutherland</td>
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<td>Conroy</td>
<td>Lanier</td>
<td>Thistlethwaite</td>
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<td>De Blieux</td>
<td>Lennox</td>
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<td>Duval</td>
<td>Lowe</td>
<td>Wattigny</td>
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<td>McDaniel</td>
<td>Willis</td>
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<td>Miller</td>
<td>Winchester</td>
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<td>Fowler</td>
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<td>Zervigon</td>
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<td>Total—41.</td>
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NOT VOTING

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<tr>
<th>Delegates—</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fontenot</td>
<td>Munson</td>
<td></td>
</tr>
<tr>
<td>Alexander</td>
<td>Giarrusso</td>
<td>Ourso</td>
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<tr>
<td>Total—40.</td>
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</tbody>
</table>

And the amendment was adopted.

Delegate Thompson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate O'Neill moved that the Convention take up other orders of Business as this time.

Delegate Roy objected.

By a vote of 59 yeas and 28 nays the Convention took up other Orders of Business at this time.

Leaves of Absence

Delegate Stinson—1 day.
Delegate Derbes—2 days.
Delegate Bel—2 days.
Delegate A. Landry—1 day.
Delegate D'Gerolamo—1 day.
Delegate Jack—1 day.
Delegate Tate—1 day.
Delegate Segura—1 day.
Delegate Ullo—1 day.
Delegate Pugh—2 days.
Delegate Dennis—1 day.
Delegate A. Jackson—1 day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Wednesday, September 26, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, September 26, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERLY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

FIFTY-FOURTH DAY’S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Wednesday, September 26, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o’clock A.M., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

**PRESENT**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Fowler</th>
<th>Rachal</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Falco</td>
<td>Rayburn</td>
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| Brown              | Junee   | Stephens
| Burns              | Langlois | Stinson |
| Burson             | Lenoriy | Stovall |
| Cannon             | Kilbourne | Sutherland |
| Carmouche          | Kilpatrick | Tappier |
| Casey              | Lambert | Tate |
| Champagne          | Landrum | Thistlethwaite |
| Chatelain          | Landry, A. | Thompson |
| Chehardy           | Landry, E. J. | Tobias |
| Comer              | Lamer   | Toca |
| Conino             | Leibman | Toosy |
| Conroy             | Lenox   | Ullo |
| Corne              | Lowe    | Velazquez |
| Cowen              | Mcdaniel | Veech |
| D'Oralemo           | Martin  | Viek |
| De Bideaux         | Mauburet | Wall |
| Dennery            | Miller  | Warren |
| Dennis             | Mire    | Wattigny |
| Deshotels          | Munson  | Weiss  |
| Drew               | Newton  | Willis |
| Dunlap             | Nunez   | Winchester |
| Duval              | O'Neill | Whisham |
| Edwards            | Ourso   | Womack |
| Elkins             | Perez   | Zervig |
| Fayard             | Perkins |        |
| Flory              | Planchard |        |

**ABSENT**

| Delegates—       | Kelly | Pugh |
| Bel              | LeBlue | Silverberg |
| Derbes          | Leigh |
| Giarrusso       |       |
| Total—8.        |

The Chairman announced that there were 124 members
present and a quorum.

Prayer

Prayer was offered by Delegate Denney.

Pledge of Allegiance

Delegate Leithman led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Willis, the reading of the Journal
was dispensed with.

On motion of Delegate Willis, the Journal of yesterday
was adopted.

Morning Hour

Reconsideration

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the
Committee on Local and Parishial Government, and Delegates
Burson, Cannon, Chuteau, Conino, D’Oralemo, Fowler,
Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier,
Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervig.

A PROPOSAL

Making general provisions for local and parishial government,
levee districts, and ports, the financing thereof, and
necessary provisions with respect thereto.

Section 9. Powers of Other Local Governmental Subdivisions

Section 9. (A) Any other local governmental subdivision
may exercise any power and perform any function necessary,
required, or proper for the management of its affairs not
denied to it by its charter, by this constitution, or by
general law, including but not limited to the power (1) to
legislate upon, regulate, conduct, and control all matters of
local governmental administration; (2) to define the powers,
duties, and qualifications of parish or municipal em-
ployees; (3) to provide for the protection of the public health,
safety, morals, and welfare; (4) to create special districts;
(5) to license; (6) to tax under the limitations provided in this
constitution or by general law; (7) to incur debt and issue
bonds, except as otherwise provided in this constitution.

(B) Any local governmental subdivision may exercise any
power or perform any function concurrently with the state
pertaining to its government and affairs to the extent that the
legislature by general law does not specifically limit the
concurrent exercise of any such power or performance of any
such function or specifically declare the state’s exercise of
any such power or performance of any such function to be
exclusive except as provided in this Article.

(C) The powers granted in this Section shall not be con-
strained to affect the powers and functions of a parish or
city school board and the offices of sheriff, clerk of a district
court, coroner, or assessor.

Read.

Delegate Perez moved to reconsider the vote by which
Committee Proposal No. 17, Section 9, failed to pass on
yesterday.

Delegate Jenkins objected.

By a vote of 72 yeas and 25 nays the vote by which the
Section failed to pass on yesterday was reconsidered.

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday was
taken up and acted on.

Proposals

Delegete and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the
Committee on Local and Parochial Government, and Delegates Burton, Cannon, Chatelain, Cosimo, D’Gerolamo, Fow- lier, Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo and Zervi- vignon:

**A PROPOSAL**

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Section 11. Home Rule Parish; Incorporation of Cities, Towns, and Villages

Section 11. When two-thirds of the electors, as certified by the registrar of voters, of an unincorporated settlement in any parish operating under a home rule charter or a home rule plan of government sign and present to the governor a petition and meet other necessary requirements as set forth under the general laws providing for the incorporation of cities, towns, and villages, such cities, towns, and villages may be incorpo- rated. However, no such newly incorporated area shall in- clude any property previously included in any industrial area or district.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 17, Section 11, when it adjourned on Tuesday, September 25, 1973, which was taken up and acted upon as follows:

**Motion**

On motion of Delegate Perez, the Convention deferred ac- tion on Section 11 and reverted to consider Committee Propo- sal No. 17, Section 9, which was taken up and acted upon as follows:

Section 9. Powers of Other Local Governmental Sub- divisions

Section 9. (A) Any other local governmental subdivision may exercise any power and perform any function necessary, requisite, or proper for the management of its affairs not denied to it by its charter, by this constitution, or by general law, including but not limited to the power (1) to legislate upon, regulate, conduct, and control all matters of local governmental administration; (2) to define the powers, duties, and qualifications of parochial or municipal employ- ees; (3) to provide for the protection of the public health, safety, morals, and welfare; (4) to create special districts; (5) to license; (6) to tax under the limitations provided in this constitution or by general law; (7) to incur debt and issue bonds, except as otherwise provided in this constitution.

(B) Any local governmental subdivision may exercise any power or perform any function concurrently with the state pertaining to its government and affairs to the extent that the legislature by general law does not specifically limit the concurrent exercise of any such power or performance of any such function or specifically declare the state’s exercise of any such power or performance of any such function to be exclusive except as provided in this Article.

(C) The powers granted in this Section shall not be con- strued to affect the powers and functions of a parish or city school board and the offices of sheriff, clerk of a district court, coroner, or assessor.

Read.

Delegate Conroy sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**


Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 5, delete lines 5 through 8, both inclusive, in their entirety and delete all floor amendments thereto and insert in lieu thereof the following:

“Section 9. (A) Subject to and not inconsistent with any provision of this constitution, the governing authority of any other local governmental subdivision may exercise any power and perform any function necessary, requisite, or proper for the management of the affairs of the local governmental subdivision not denied by its charter or by general law, provided that a majority of the electors in the affected local government- mental subdivision who vote in an election held for that purpose vote in favor of the proposition that such governing authority may exercise such general powers. In the absence of such a favorable vote, such local governmental subdivision shall have such powers as shall be authorized by this constitution or by law.”

Delegate Conroy moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 105 yeas and 3 nays the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 5, delete lines 16 through 28, both inclusive, in their entirety and delete all floor amendments thereto and insert in lieu thereof the following:

“Section 9. (A) Subject to and not inconsistent with any provision of this constitution, the governing authority of any other local governmental subdivision may exercise any power and perform any function necessary, requisite, or proper for the management of the affairs of the local governmental subdivision not denied by its charter or by general law, provided that a majority of the electors in the affected local government- mental subdivision who vote in an election held for that purpose vote in favor of the proposition that such governing authority may exercise such general powers. In the absence of such a favorable vote, such local governmental subdivision shall have such powers as shall be authorized by this constitution or by law.”

Delegate Conroy moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 105 yeas and 3 nays the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 5, delete lines 29 through 32, both inclusive, in their entirety and delete lines 1 through 4, both inclusive, in their entirety.

On motion of Delegate De Blieux the amendment was adopted.

Delegate De Blieux moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 5, line 16, in Floor Amendment No. 1 proposed by Delegate Conroy, et al. and adopted by the convention on September 26, 1973, on line 12, immediately after the words “absence of” and before the punctuation and word “,”, such delete the words “such a favorable vote” and insert in lieu thereof the words “an election.”

Delegate De Blieux moved the adoption of the amendment.

Delegate Anzalone objected.

By a vote of 13 yeas and 100 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Bollinger sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate Bollinger to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, between lines 16 and 28, within Floor Amendment No. 1 introduced by Messrs. Conroy, Lanier, et al, and adopted by the convention on September 26, 1973, on line 13 of said Floor Amendment, immediately after the words “powers as” and before the word “authorized” strike out the words “shall be”

On motion of Delegate Bollinger the amendment was adopted.

Delegate Bollinger moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, at the beginning of line 5, strike out the punctuation “(C)” and insert in lieu thereof “(B)”

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Dennis, Tate, and Willis to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, between lines 8 and 9, insert the following:
“(C) Notwithstanding any provision of this Article to the contrary, the courts and their officers may be established or affected only as provided in Article V of this constitution.”

Delegate Dennis moved the adoption of the amendment.

Delegate Abraham objected.

By a vote of 96 yea’s and 16 nay’s the amendment was adopted.

Delegate Dennis moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, Section 9, was read, as amended.

Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate Perez sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegates Jenkins and De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, line 23, after the partial word and punctuation “rated,” add the following:

“No municipality incorporated under this Section shall include property previously included in an industrial area or district.”

Point of Order

Delegate Warren raised a point of order and sought a ruling of the chair, as to whether the amendment was out of order, as having been previously considered.

Ruling of the Chair

The chair declined to rule the amendment out of order at this time, and put the question to the Convention under the rules.

The question was put to declare the amendments in order. A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alario
Annette
Aseff
Avant
Bollinger
Brown
Burns
Bursen
Cannon
Carmouch
Chehardy
Comar
Conio
Corne
D’Gerolamo
De Blieux
Dennis
Dehotels
Drew

Total—59.

Landry, E. J.

Lanier

Martin

Maubeurret

Mire

O’Neill

Perkins

Rayburn

Sandor

Shannon

Smith

Stagg

Stephenson

Stinson

Stovall

Vick

Willis

Wisham

Womack

NAYS

Delegates—
Alexander
Badeaux
Bergeron
Berry
Blair
Brown
Casey
Chatelain
Conrey
Cowan
Dennery
Elkins
Fayard
Grier
Hayes
Haynes

Total—46.

Jackson, A.

Jackson, J.

Landrum

Lennox

Love

McDaniel

Miller

Nunez

Perez

Planchard

Rachal

Reeves

Romer

Roy

Schmitt

Singletary

Slay

Soniast

Sutherland

Thompson

Tobias

Toca

Toomy

Utro

Velasquez

Warren

Wattigny

Weiss

Winchester

Zervigon

NOT VOTING

Delegates—
Mr. Chairman
Anzalone
Bell
Champagne
Derbes

Total—18.

Giarrusso

Heine

Kelly

Maubeurret

Munson

Perkins

Planchard

Reeves

NOT VOTING

Delegates—
Mr. Chairman
Aecker

Anzalone

Bel

Champagne

Derbes

Edwards

Giarrusso

Heine

LeBlu

Leigh

Segura

Silverberg

Tapper

Tate

Thistlewaite

Vesich

Wall

Ouroso

Pugh

Robinson

Segura

Silverberg

Thistlewaite

Wall

529
Committee vote incorporated Home such through petition floor vote his majority the petition the through yeas set nays cities, certified cities, by both home delete Cities, as the requirements sent Towns, their motion rejected.

eral charters, incorporated for industrial electorate, government, and electors, new and old, in the area and district, by Delegate Chatelain moved the adoption of the amendment.

Delegate Roemer objected. By a vote of 37 yeas and 57 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Weiss sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Weiss to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 14 through 25, both inclusive, in their entirety and delete all Floor Amendments thereto and insert in lieu thereof the following:

"Section 11. When one-half of the electorate, as certified by the registrar of voters, in any parish operating under a home rule charter or home rule plan of government, may be incorporated, when a majority of the electors of said settlement, as certified by the parish registrar of voters, sign and present to the governor a petition and meet other necessary requirements as set forth under the general laws providing for the incorporation of cities, towns, and villages, an unincorporated settlement may be incorporated and incorporated cities, towns, and villages may alter their corporate boundaries."

Delegate Weiss moved the adoption of the amendment.

Delegate J. Jackson objected. By a vote of 19 yeas and 89 nays the amendment was rejected.

Delegate Hayes moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Guarisco sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Guarisco to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 16 through 25, both inclusive, in their entirety and delete all Floor Amendments thereto and insert in lieu thereof the following:

"Section 11. No parish plan of government or home rule charter shall prohibit the incorporation of cities, towns, or villages as provided by general law."

Delegate Guarisco moved the adoption of the amendment. Delegate Perez objected. By a vote of 70 yeas and 38 nays the amendment was adopted.

Delegate Guarisco moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lowe moved the previous question on the entire subject matter.

Delegate Abraham objected. By a vote of 66 yeas and 39 nays the previous question was ordered on the entire subject matter.

**Passage**

Committee Proposal No. 17, Section 11, was read as amended.

Delegate Perez moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

YEAS

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<th>Delegates—</th>
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NAYS

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NOT VOTING

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<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>Drew</td>
<td>Ourso</td>
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<td>Total—22</td>
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</tbody>
</table>

And the Chair declared that the above Section was passed.
Delegate Reeves moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 12. Limitations of Local Governmental Subdivisions

Section 12. Local governmental subdivisions shall not: (1) incur debt payable from ad valorem tax receipts maturing more than forty years from the time it is incurred; (2) define and provide for the punishment of a felony; or (3) enact private or civil ordinances governing civil relationships.

Read.

Delegate O'Neill sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate O'Neill to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, at the end of line 31, change the period “.” to a semicolon “;” and add the following:

“or, (4) set prices of private goods or services, other than those of public utilities or common carriers subject to their regulations.”

AMENDMENT No. 2—

On page 6, at the end of line 31, change the period “.” to a semicolon “;” and add the following:

“or, (5) engage in wholesale or retail trade, or manufacturing enterprises.”

On motion of Delegate O'Neill Amendment No. 2 was withdrawn.

Delegate Stovall moved the previous question on the amendments.

Delegate Perez objected.

By a vote of 35 yeas and 67 nays the Convention refused to order the previous question at this time.

Delegate O'Neill moved the adoption of the amendment.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Hayes

Jackson, A.

Jenkins

Jireh

Kilbourne

Kilpatrick

Lambert

Landry, A.

Landry, E. J.

Lanier

Leithman

Lennox

Lowe

McDaniel

Martin

Maubert

Miller

Nutini

Ours

Perez

Planchard

Rayburn

Reves

Rieche

Sandol

Schmidt

Shannon

Singletary

Slid

Smith

Total—79.

NOT VOTING

Mr. Chairman

Aerkter

Alexander

Bel

D'Gerolamo

Derbes

Drew

Fayard

Fueio

Pugh

Silverberg

Tate

Thistlethwaite

Wall

Warren

Weiss

Womaek

AMENDMENT No. 1—

On page 6, immediately after the number and punctuation “(3)” insert the following:

“except as may be provided by law.”

Delegate Casey moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Abraham

Alario

Anzaione

Arnette

Asseff

Badeaux

Bergeron

Blair

Bollinger

Brown

Burns

Burson

Cannon

Carmouch

Casey

Champagne

Chatelain

Chehardy

Comar

Conino

Corre

Cowen

D'Gerolamo

De Bieule

Denney

Deehots

Dunlap

Dunval

Edwards

Elkins

Fowler

Fulco

Gauthier

Ginn

Gravel

Grier

Guarisco

Hardee

Haynes

Hernandez

Jack

Jackson, A.

Jackson, J.

Juneau

Kilbourne

Kilpatrick

Lambert

Landry, A.

Landry, E. J.

Lanier

Leithman

Lennox

Lowe

Munson

Soniat

Sutherland

Tapper

Thompson

Tobias

Toca

Toomy

Uilo

Velazquez

Vick

Wattigny

Willis

Winchester

Zervigon

NAYS

Brown

Burns

Burson

Cannon

Carmouch

Casey

Champagne

Chatelain

Chehardy

Comar

Conino

Corrie

Cowen

D'Gerolamo

De Bieule

Denney

Deehots

Dunlap

Dunval

Edwards

Elkins

Fowler

Fulco

Gauthier

Ginn

Gravel

Grier

Guarisco

Hardee

Haynes

Hernandez

Jack

Jackson, A.

Jackson, J.

Juneau

Kilbourne

Kilpatrick

Lambert

Landry, A.

Landry, E. J.

Lanier

Leithman

Lennox

Lowe

Munson

Soniat

Sutherland

Tapper

Thompson

Tobias

Toca

Toomy

Uilo

Velazquez

Vick

Wattigny

Willis

Winchester

Zervigon

Total—29.
reconsider
immediately
open
COMMITTEE
the
1973,
between
line
10:00
ROLL

AMENDMENT
as
follows:

FLOOR AMENDMENTS


Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, line 27, immediately after the numeral and punctuation "12." insert the letter "(A)"

AMENDMENT No. 2—
On page 6, between lines 31 and 32, insert the following:
"(B) Notwithstanding any provision of any plan of local government, or any home rule charter, or any other provision of this Article, the legislature may by general law, applicable throughout the state, or based upon any reasonable classification, exercise the police power of the state in the parishes, municipalities, and other local governmental subdivisions of the state."

Delegate Avant moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Alario
Avant
Bergeron
Berry
Blair
Brown
Chehardy

Comar
D’Gerolamo
De Bleux
Dennis
Dunlap
Edwards
Flory
Ginn
Goldman

Gravel
Guarisco
Hayes
Hayes
Jackson, A.
Jackson, J.
Jenkins
Kilpatrick

NAYS

Delegates—

Abraham
Anzalone
Arnette
Asseff
Bodeaux
Boillinger
Burns
Buron
Carmouche
Casey
Champagne
Chatelain
Conino
Conroy
Corne
Cowen

Jenkins
Jourdan
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Kilpatrick
Kilpatrick
Kilpatrick

NOT VOTING

Delegates—

Aertker
Alexander
Bel
Derbes
Drew
Glarruso
Hayes
Heine

Kean
Landrum
LeBlanc
LeBlanc
LeBlanc
LeBlanc
LeBlanc
LeBlanc

Pugh
Shannon
Tapper
Wall
Warren
Weiss
Womack
Womack

NOT VOTING

Delegates—

Aertker
Alexander
Bel
Cannon
Derbes
Deshotels
Drew
Fowler

Glarruso
Heine
Kean
Kelly
Landrum
LeBlanc
Martin

Pugh
Silverberg
Thistlethwaite
Wall
Warren
Weiss
Womack

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Lambert, chairman of the Committee on Natural Resources and the Environment, sent up the following notice:

The Committee on Natural Resources and the Environment will meet on Thursday, September 27, 1973, at 10:00 o’clock
54th Days Proceedings—September 26, 1973
A.M. in the Senate Lounge and will consider the following agenda:

AGENDA
To continue consideration of the Committee’s Proposal.

Respectfully submitted,
DELEGATE LOUIS LAMBERT,
Chairman of the Committee on
Natural Resources and the Environment

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Juneau, chairman of the Committee on Public Information, sent up the following notice:

The Committee on Public Information will meet on Thursday, September 27, 1973, at 11:00 o’clock A.M. in Committee Room 1 and will consider the following agenda:

AGENDA
Continue evaluation of Public Information programs and district public information projects.

Respectfully submitted,
DELEGATE PATRICK JUNEAU,
Chairman of the Committee on
Public Information

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Stagg, chairman of the Committee on the Executive Department, sent up the following notice:

The Committee on the Executive Department will meet on Thursday, September 27, 1973, at 10:00 o’clock A.M. in Committee Room 205 and will consider the following agenda:

AGENDA
DP 4—Womack, Asseff, Lennox
DP 12—Dennery
DP 23—Abraham
DP 24—Schmit
DP 26—Newton
DP 42—Dennery, Stovall
DP 49—Brien

Respectfully submitted,
DELEGATE TOM STAGG,
Chairman of the Committee on
the Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will meet on Thursday, September 27, 1973, at 9:00 o’clock A.M. in Committee Room 4 and will consider the following agenda:

AGENDA
To continue consideration of the Committee’s Proposal.

Respectfully submitted,
DELEGATE B. B. RAYBURN,
Chairman of the Committee on
Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Thistlethwaite—Indefinite.
Delegate Champagne—2 hours.

Adjournment
Delegate Munson moved that the Convention do now adjourn until Thursday, September 27, 1973, at 1:00 o’clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, September 27, 1973, at 1:00 o’clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 1:00 o'clock p.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Present</th>
<th>Absent</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>Perkins</td>
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<tr>
<td>Abraham</td>
<td>Fulco</td>
<td>Planchard</td>
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<td>Acetker</td>
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<td>Alario</td>
<td>Ginn</td>
<td>Rachal</td>
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<td>Alexander</td>
<td>Goldman</td>
<td>Rayburn</td>
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<td>Anzalone</td>
<td>Gravel</td>
<td>Reeves</td>
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<td>Arnette</td>
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<td>Riecke</td>
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<td>Asseff</td>
<td>Guarisco</td>
<td>Robinson</td>
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<td>Avant</td>
<td>Hardee</td>
<td>Roemer</td>
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<td>Badeaux</td>
<td>Hayes</td>
<td>Roy</td>
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<td>Bell</td>
<td>Haynes</td>
<td>Sandoz</td>
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<td>Bergeron</td>
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<td>Schmitt</td>
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<td>Blair</td>
<td>Hernandez</td>
<td>Segura</td>
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<td>Bollinger</td>
<td>Jack</td>
<td>Shannon</td>
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<tr>
<td>Brien</td>
<td>Jackson, A.</td>
<td>Singletry</td>
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<td>Brown</td>
<td>Jackson, J.</td>
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<td>Carmouche</td>
<td>Kelly</td>
<td>Stephenson</td>
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<td>Casey</td>
<td>Kilbourne</td>
<td>Stinon</td>
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<td>Champagne</td>
<td>Kilpatrick</td>
<td>Stovall</td>
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<tr>
<td>Chatelain</td>
<td>Lambert</td>
<td>Sutherland</td>
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<td>Chehardy</td>
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<td>Conino</td>
<td>Landry, E. J.</td>
<td>Thompson</td>
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<td>Velazquez</td>
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<td>Dennis</td>
<td>Martin</td>
<td>Vesich</td>
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<td>Derbes</td>
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<td>Vick</td>
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<td>Deshotels</td>
<td>Miller</td>
<td>Wall</td>
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<td>Drew</td>
<td>Mire</td>
<td>Warren</td>
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<td>Dunlap</td>
<td>Munson</td>
<td>Watlingay</td>
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<td>Duval</td>
<td>Newton</td>
<td>Weiss</td>
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<td>Edwards</td>
<td>Nunez</td>
<td>Willis</td>
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<td>Elkins</td>
<td>O’Neill</td>
<td>Winchester</td>
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<td>Fayard</td>
<td>Oruso</td>
<td>Wizham</td>
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<tr>
<td>Florey</td>
<td>Perez</td>
<td>Zervigon</td>
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<td>Fontenot</td>
<td>Total—124.</td>
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The Chairman announced that there were 124 members present and a quorum.

Prayer

Prayer was offered by Delegate Lennox.

Pledge of Allegiance

Delegate Bergeron led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Roy, the reading of the Journal was dispensed with.

On motion of Delegate Roy, the reading of the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on.

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D’Gerolamo, Fowler, Girrussro, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo and Zervigon:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Section 12. Limitations of Local Governmental Subdivisions

Section 12. Local governmental subdivisions shall not: (1) incur debt payable from ad valorem tax receipts maturing more than forty years from the time it is incurred; (2) define and provide for the punishment of a felony; or (3) enact private or civil ordinances governing civil relationships.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 17, Section 12, when it adjourned on Wednesday, September 26, 1973, which was taken up and acted upon as follows:

Delegate Lowe sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments propounded by Delegates Lowe, Roemer, and Mire to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, line 27, immediately after the word and punctuation "not" delete the remainder of the line and delete line 28 in its entirety and delete line 29 in its entirety and insert in lieu thereof the following:

"(1) de-

AMENDMENT No. 2—

On page 6, line 30, immediately after the word "or" and before the word "enact" change the number "(3)" to the number "(2)"

On motion of Delegate Lowe the amendment was adopted.

Delegate Lowe moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegate Casey to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
Delete in their entirety Amendment No. 1 and Amendment No. 2 proposed by Mr. Avant et al. and adopted by this Convention on September 26, 1973.

AMENDMENT No. 2—
On page 6, line 27, immediately after the numeral and punctuation “12,” insert the letter “(A)”

AMENDMENT No. 3—
On page 6, between lines 31 and 32, insert the following:
“(B) Notwithstanding any provision of this Article, the police power of the state shall never be abridged.”

On motion of Delegate Casey the amendments were withdrawn.

Delegate Casey sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Casey to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
Delete in their entirety Amendment No. 1 and Amendment No. 2 proposed by Mr. Avant et al. and adopted by this Convention on September 26, 1973.

AMENDMENT No. 2—
On page 6, line 27, immediately after the numeral and punctuation “12,” insert the letter “(A)”

AMENDMENT No. 3—
On page 6, between lines 31 and 32, insert the following:
“(B) Notwithstanding any provision of this Article, the police power of the state shall never be abridged.”

Delegate Casey moved the adoption of the amendment.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

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<th>Delegates</th>
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<td>Abraham</td>
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NAYS

<table>
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<th>Delegates</th>
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<td>Hayes</td>
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<td>Jackson, A.</td>
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<td>Jackson, J.</td>
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<td>Jenkins</td>
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<td>Kilpatrick</td>
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<td>Landry, E. J.</td>
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<td>Leithman</td>
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<td>Rayburn</td>
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<td>Reeves</td>
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<td>Robinson</td>
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<td>Roemer</td>
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<td>Stephenson</td>
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<td>Veisch</td>
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<td>Vick</td>
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<td>Warren</td>
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<tr>
<td>Wattingy</td>
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<tr>
<td>Wisham</td>
<td></td>
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</tbody>
</table>

TOTAL—55.

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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<tbody>
<tr>
<td>Berry</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Brien</td>
<td>Martin</td>
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<tr>
<td>Denney</td>
<td>O'Neill</td>
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<td>Giarrusso</td>
<td>Segura</td>
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<tr>
<td>Leigh</td>
<td>Shannon</td>
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</tbody>
</table>

TOTAL—14.

And the amendments were adopted.

Delegate Casey moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, line 31, at the end of the line change the period “;” to a semicolon “;” and insert the following:
“(3) levy any tax beyond the limits imposed by this constitution; or (4) levy or increase any tax not specifically authorized by this constitution unless authorized by the legislature and by a majority of the voters voting thereon in the political subdivision affected.”

Delegate Jenkins moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Hayes</td>
<td></td>
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<tr>
<td>Haynes</td>
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<tr>
<td>Jackson, J.</td>
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<tr>
<td>Jenkins</td>
<td></td>
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<tr>
<td>Kilbourne</td>
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<tr>
<td>Kilpatrick</td>
<td></td>
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<tr>
<td>Lambert</td>
<td></td>
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<tr>
<td>Landrum</td>
<td></td>
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<tr>
<td>Leithman</td>
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<td>Mire</td>
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<tr>
<td>Munson</td>
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<td>Newton</td>
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<tr>
<td>O'Neill</td>
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<td>Ourso</td>
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<td>Rachal</td>
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<tr>
<td>Reeves</td>
<td></td>
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<tr>
<td>Robinson</td>
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<td>Roemer</td>
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<td>Roy</td>
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<td>Slay</td>
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<td>Stephenson</td>
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</table>

TOTAL—35.

NAYS

<table>
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<tbody>
<tr>
<td>Asseff</td>
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<tr>
<td>Badeaux</td>
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<tr>
<td>Bel</td>
<td></td>
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<tr>
<td>Bergeron</td>
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<tr>
<td>Blair</td>
<td></td>
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<tr>
<td>Brown</td>
<td></td>
</tr>
<tr>
<td>Burns</td>
<td></td>
</tr>
<tr>
<td>Burston</td>
<td></td>
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</tr>
</tbody>
</table>

TOTAL—63.
Cannon
Carmouche
Casey
Champagne
Chateau
Conino
Conroy
Cone
Cowan
De Blieux
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Elkins
Fayard
Fontenot
Fowler
Fulco
Gauthier
Goldman
Grier
Guarisco
Hardee
Heine
Hernandez
Jack
Juneau
Kean
Kelly
Landry, A.
Landry, E. J.
Lanier
LeBleu
Lennox
Lowe
Maubertet
Miller
Nunez
Perez
Perkins
Planchard
Pugh
Rayburn
Riecke
Sandor
Schmitt
Shannon
Singletary
Slay
Smith
Soniat
Stagg
Sutherland
Tate
Tobias
Tommy
Ulo
Velasquez
Vesich
Vick
Weiss
Willis
Winchester
Zervigon

NOT VOTING

Delegates—
Aertker
Berry
Bollinger
Chehardy
Comar
Dennery

Garrusso
Leigh
McDaniel
Martin
Segura
Silverberg

Stephenson
Stovall
Tapper
Thistletwaite
Waren
Womack

Total—18.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Dennis to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, between lines 31 and 32, following the language added by Floor Amendment No. 3 proposed by Delegate Casey and adopted by the Convention on September 27, 1973, insert the following:

"(O) This article shall not limit the power of the legislature to enact laws of statewide concern."

Delegate Dennis moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Alario
Alexander
Avant
Blair
Brien
Brown
Corne
D’Gerolamo
Dennis
Dunlap
Flory
Fowler
Ginn
Goldman
Gravel
Guarisco
Hayes
Haynes
Jackson, A.
Jackson, J.
Jenkins
Kelly
Kilpatrick
Landrum
Landry, E. J.
Leithman
Lowe
Maubertet
Mire
Monson
Newton
O’Neill
Pugh
Reahe
Robinson
Roemer
Roy
Shannon

Total—52.

NAYS

Delegates—
Abraham
Anzalone
Arnette
Asseff
Badeux
Bel
Bergeron
Bollinger
Burns
Burson
Cannon
Carmouche
Casey
Chateau
Chateau
Conino
Conroy
Cowan
De Blieux
Derbes
Deshotels
Drew

Duval
Edwards
Fayard
Fontenot
Fulco
Gauthier
Grier
Hardee
Heine
Hernandez
Jack
Juneau
Kean
Kilbourne
Lanier
LeBleu
Lennox
Martin
Miller
Nunez
Curso

Total—68.

NOT VOTING

Delegates—
Aertker
Berry
Chehardy
Dennery

Garrusso
Leigh
McDaniel

Stephenson
Stovall
Thistletwaite
Womack

Total—12.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, Section 13, was read, as amended.

Delegate Lanier moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Alario
Alexander
Avant
Blair
Brien
Brown
Burns
Burson
Cannon
Champagne
Chateau
Comar
Conino

Conroy
Corne
Cowan
D’Gerolamo
Dennis
Dunlap
Duval
Edwards
Fayard
Fontenot
Fulco
Gauthier
Ginn
Goldman
Gravel
Grier
Guarisco

Hardee
Hayes
Heine
Hernandez
Jack
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lanier
LeBleu
Leithman
Lennox
Lowe
Martin
Maubertet
Miller
Monson
Newton

536
### 55th Days Proceedings—September 27, 1973

<table>
<thead>
<tr>
<th>Nunez</th>
<th>O'Neill</th>
<th>Ourso</th>
<th>Perez</th>
<th>Perkins</th>
<th>Planerd</th>
<th>Pugh</th>
<th>Rayburn</th>
<th>Reeves</th>
<th>Riecke</th>
<th>Robinson</th>
<th>Roemer</th>
<th>Roy</th>
<th>Sandoz</th>
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</thead>
<tbody>
<tr>
<td>Schmitt</td>
<td>Shannon</td>
<td>Singletary</td>
<td>Slay</td>
<td>Smith</td>
<td>Soniat</td>
<td>Stagg</td>
<td>Stephenson</td>
<td>Slinson</td>
<td>Stovall</td>
<td>Sutherland</td>
<td>Tapper</td>
<td>Tate</td>
<td>Thompson</td>
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<tr>
<td>Tobias</td>
<td>Toca</td>
<td>Toomy</td>
<td>Ullo</td>
<td>Vesch</td>
<td>Vick</td>
<td>Wall</td>
<td>Warren</td>
<td>Wattigny</td>
<td>Weis</td>
<td>Willis</td>
<td>Winchester</td>
<td>Wisham</td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Haynes</th>
<th>Jackson, A.</th>
<th>Jackson, J.</th>
</tr>
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<tbody>
<tr>
<td>Landrum</td>
<td>Landry, E. J.</td>
<td>Rachal Velazquez</td>
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**NOT VOTING**

<table>
<thead>
<tr>
<th>Aertker</th>
<th>Berry</th>
<th>Chehardy</th>
<th>Dernery</th>
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</thead>
<tbody>
<tr>
<td>Girarroso</td>
<td>Leish</td>
<td>McDaniel</td>
<td>Segura</td>
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<tr>
<td>Silverberg</td>
<td>Thistlehwaite</td>
<td>Womack</td>
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**AMENDMENT No. 1**

On page 6, between lines 31 and 32, add the following section:

> "Section 12.1. Codification of Ordinances
>
> Section 12.1.1. The governing authority of each political subdivision shall within two years of the effective date of the adoption of this constitution, cause a code to be prepared containing all of the ordinances of the political subdivision of general application which are appropriate for continuation as law. When the code shall have been prepared the governing authority of the political subdivision shall cause copies of the same to be prepared and made available for public distribution. All proposed ordinances of general application adopted after the approval of the code shall be adopted as amendments or additions to the code."

Delegate Singletary sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Singletary to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

<table>
<thead>
<tr>
<th>DeBieux</th>
<th>Dennis</th>
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<tbody>
<tr>
<td>Drew</td>
<td>Duval</td>
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<tr>
<td>Stovall</td>
<td>Guaisco</td>
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</table>

**NAYS**

<table>
<thead>
<tr>
<th>DeBieux</th>
<th>Dennis</th>
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</thead>
<tbody>
<tr>
<td>Drew</td>
<td>Duval</td>
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</tbody>
</table>

**NOT VOTING**

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<th>Aertker</th>
<th>Berry</th>
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<th>Cowen</th>
<th>Denney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Girarroso</td>
<td>Leish</td>
<td>McDaniel</td>
<td>Segura</td>
<td>Womack</td>
</tr>
</tbody>
</table>

The amendment having received a majority vote of the total membership of the Convention, necessary to pass a Section to a Proposal, was passed.

Delegate Singletary moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 17, Section 12.1, was read.

Delegate Singletary moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

| Mr. Chairman | Abraham | Alario | Alexander | Ansonlone | Arnette | Asseff | Avant | Badeaux | Bel | Bergeron | Blair | Bollinger | Brien | Brown | Burns | Burson | Burren | Burren | Burren | Carron | Chelatin |
|-------------|---------|-------|-----------|-----------|---------|-------|-------|--------|-----|----------|------|---------|------|-------|-------|--------|--------|--------|--------|--------|--------|-------|
| Casey | Champagne | Chelatin | Conion | Conroy | Corne | Cowen | D'Gerolamo | Derbes | Deshotels | Drew | Dunlap | Edwards | Elkins | Fawry | Fowlr | Fontenot | Fouler | Froby | Gauthier | Ginn | Goldman |
| Gravel | Grier | Hardee | Hayes | Heine | Hernandez | Jack | Jackson, A. | Jackson, J. | Jenkins | Juneau | Kelly | Kilbourne | Kilpatrick | Lambert | Shanninh | Slay | Slagg | Stephenson | Slinson | Sutherland | Tapper | Thompson | Tobias | Toca | Ullo | Velazquez | Vick | Wall | Weiss | Willis | Winchester | Wisham | Zervignon |
Landry, A. Pugh Sutherland
Landry, E. J. Rayburn Tapper
Lanier Reeves Thompson
LeBlanc Riecke Tobias
Lennox Robinson Toca
Lowe Roemer Ullo
Martin Roy Velazquez
Mauherret Sandoz Viek
Miller Schmitt Wall
Mire Shannon Warren
Munson Singletary Wattigny
Nunez Slay Weis
O’Neill Soniat Willis
Ozouf Stagg Winncheber
Perkins Stephenson Winchster
De Blieux Stinson Wisham
Duval Stovall Zervigon

Total—108.

NOT VOTING

De Blieux Guarisco
Duval Kean

Total—5.

NOT VOTING

Aetker Landrum Silverberg
Berry Leigh Smith
Chehardy Leithman Tate
Comar McDaniil Thistledthwaite
Denner Newton Womack
Dennis Rachel Segura
Giarrusso

Total—19.

And the Chair declared that the above Section was passed.

Delegate Singletary moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 13. Local Officials

Section 13. The electors of each local governmental subdivision shall have the exclusive right to elect the members of their governing authority and, if a plan or form of government or home rule charter so provides, their chief executive officer at elections held in accordance with the election laws of the state. Such officials shall not be subject to removal by the legislature.

Read.

Delegate Pugh sent up a floor amendment, which were read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6 delete line 32 in its entirety and on page 7 delete lines 1 through 7, both inclusive, in their entirety.

Delegate Pugh moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Bollinger Flory Gravel
Champlin Fulco Hayes
De Blieux Glenn Jackson, A.
Duval Goldman Jackson, J.

Kelly M."NAYS

Landrum Riceke Velazquez
Munson Soniat Vick
Pugh Stovall Warren
Racahl Tobias Wattigny
Ullo Wisham

Delegates—

Abraham Elkins O’Neill
Alario Fayard Perez
Anzalone Fontenot Perkins
Arnette Fowler Plancheard
Asseff Gauthier Reeves
Avant Grier Robinson
Badeaux Guariesco Roemer
Bel Hardee Roy
Bergeron Heine Sanchez
Blair Hernandez Schmitt
Brien Jack Shannon
Brown Jenkins Toomy
Burns Junenu Sirty
Buson Kean Smith
Cannon Kilbourne Stagg
Carmouche Kilpatrick Stephenson
Casey Lamba Stovall
Chenlaine Landry, A. Sutherland
Comar Landry, E. J. Tapper
Conion Lanier Thompson
Corroy LeBlanc Toca
Corne Lennox Toomy
Cowan Lowe Tocay
D’Gerolamo Martin Weiss
Dennis Mauherret Viek
Derbes Miller Wall
Deshotels Mire Willis
Drew Newton Winncheber
Dunlap Nunez Zervigon

Total—19.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kelly sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Kelly and Perez to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, line 6, immediately after the word and punctuation “state,” delete the remainder of the line and delete line 7 in its entirety.

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Velazquez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Velazquez to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, line 6, immediately after the word and punctuation “state,” add the following: “Nothing herein shall be construed to prohibit the election of any official based on apportionment by population.”
On motion of Delegate Velazquez the amendment was withdrawn.

On motion of Delegate Perez further action on Section 13 was deferred at this time.

Section 14. Local Officials; Compensation

Section 14. The compensation or method of fixing the compensation of a local elected official of any local governmental subdivision which operates under a home rule charter or plan of government as provided in Sections 7 and 8 of this Article, shall be provided in its charter. The compensation or method of fixing the compensation of local elected officials of any other local governmental subdivision shall be provided for by law. Compensation of local officials shall not be reduced during the terms for which they are elected.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7 delete lines 8 through 17, both inclusive, in their entirety

Delegate Pugh moved the adoption of the amendment.

Delegate Perez objected.

By a vote of 19 yeas and 82 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Duval sent up a floor amendment, which was read as follows.

FLOOR AMENDMENT

Amendment proposed by Delegates Duval and Bollinger to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, line 16, after the word "reduced" and before the partial word "dur-" insert the words "or increased"

Delegate Duval moved the adoption of the amendment.

Delegate Slay objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Abraham

Alario

Annette

Avant

Bel

Bergeron

Blair

Brien

Burns

Carmouche

Casey

Chatelain

Comino

Conroy

Covien

D'Gerolamo

Drew

Dunlap

Fayard

Total—56.

Sutherland

Thompson

Ulo

Total—48.

Velazquez

Wall

Warren

Weiss

Willis

Wisham

NAYS

Delegates—

Alario

Assell

Avant

Bel

Bergeron

Blair

Brien

Burns

Carmouche

Casey

Chatelain

Comino

Conroy

Covien

D'Gerolamo

Drew

Dunlap

Fayard

Total—54.

Flory

Fontenot

Fowler

Ginn

Gravel

Harder

Haynes

Hernandez

Jack

Jackson, A.

Kelley

Landry, A.

Landry, E. J.

Lennox

Lowe

Martin

Maubertet

Miller

Mire

Zervigon

NOT VOTING

Delegates—

Aertker

Alexander

Berry

Cannon

Chehardy

Dennery

Dennis

Derbes

Deshotels

Elkins

Fayard

Flory

Fontenot

Fowler

Fulco

Gauthier

Goldman

Grier

Hayes

Jenkins

Juneau

Kean

Kilpatrick

Lambert

Lanjar

LeBlanc

O'Neill

Pugh

Reeves

Riecke

Robinson

Roemer

Sandoz

Shannon

Smith

Soniat

Stagg

Stinson

Stovall

Lennox

Lowe

Martin

Maubertet

Miller

Mire

Newton

Nunez

O'Neill

Perez

Perkins

Planchard

Pugh

Rayburn

Reeves

Riecke

Robinson

Sandoz

Schmitt

Shannon

Singletary

Stagg

Stephenson

Stinson

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AMENDMENT No. 1—

On page 7, delete lines 1 through 6, both inclusive, in their entirety including the Convention House Amendment No. 1 thereto proposed by Delegate Kean and adopted by the Convention on September 27, 1973, and insert in lieu thereof the following:

“Section 13. The elections of each local governmental subdivision shall have the exclusive right to elect the members of their governing authority. Nothing herein shall be construed to prohibit the election of the members of any governing authority on the basis of single member districts.”

On motion of Delegate Velazquez the amendment was adopted.

Delegate Velazquez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, Section 13, was read, as amended.

Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—
Mr. Chairman—
Abraham—
Alari—
Arnette—
Avent—
Badeaux—
Brien—
Brown—
Burns—
Burson—
Cannon—
Carmouche—
Champagne—
Chatelain—
Comar—
Connino—
Conroy—
Corne—
Cowen—
D’Gontier—
De Bleeux—
Dennis—
Deshotel—
Drew—
Dunlap—
Duval—
Elkins—
Flory—
Fentenlot—
Fowler—
Fayard—

Total—107.

NAYS

Delegate—
Total—0.

NOT VOTING

Delegate—
Total—5.

And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Perez, the Convention altered the Order of Business to take up Committee Proposal No. 17, Section 13 at this time.

Section 13. Local Officials

Section 13. The elections of each local governmental subdivision shall have the exclusive right to elect the members of their governing authority and, if a plan or form of government or home rule charter so provides, their chief executive officer at elections held in accordance with the election laws of the state. Such officials shall not be subject to removal by the legislature.

Read.

Delegate Kean sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Kean, Anzalone, and Velazquez to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 13. The elections of each local governmental subdivision shall have the exclusive right to elect their governing authority. Nothing herein shall be construed to prohibit the election of any official thereof based on apportionment by population.”

On motion of Delegate Kean the amendment was adopted.

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Velazquez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Velazquez and Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

And the Chair declared that the above Section was passed.
Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 15. Filling of Vacancies; Appointment

Section 15. (A) Except in the office of sheriff, assessor, clerk of a district court, or coroner, a vacancy occasioned by death, resignation, or otherwise in the office of mayor, in the membership of the governing authority of a local governmental subdivision or in any other local office filled by election wholly or partly within the boundaries of a local governmental subdivision, shall be filled by appointment by the governing authority of such local governmental subdivision in which the vacancy occurs. A vacancy in the membership of a city or parish school board shall be filled by appointment by the remaining members thereof. A tie vote on such appointment to be made by the governing authority of a local governmental subdivision or school board shall be broken by the president officer thereof notwithstanding the fact that he may already have voted thereon.

(B) If, at the time a vacancy occurs in an elective office for which appointment is provided in Paragraph (A) of this Section, the unexpired portion of the term of office is more than one year, a special election to fill the vacancy shall be called by the governing authority, and held without the necessity of a call by the governor, not more than six months nor less than three months, after first receipt of notice of the vacancy by the secretary of state, to be given as hereinafter provided, in the local governmental subdivision or special district thereof in which the vacancy occurred, and in such case the appointment provided for in Paragraph (A) of this Section shall be effective only until a successor is duly elected and qualified.

(C) Upon being informed of the occurrence of a vacancy in any of the offices specified in Paragraph (A) of this Section, the clerk or chief clerk of the district court in the parish where the vacancy occurred, and in the parish of Orleans, the clerk or chief clerk of the criminal district court, shall, within twenty-four hours after being thus informed, notify the secretary of state in writing of registered or certified mail of the occurrence of the vacancy. Upon receipt of such notice the secretary of state shall, within twenty-four hours after such receipt, notify in writing or registered or certified mail all election officials, including party committees and boards of supervisors of elections, having any duty to perform in connection with the special election to fill such vacancy, of the occurrence of the vacancy.

(D) Nothing in this Section shall be construed as changing the qualifications for the various offices involved and all appointments must be of persons who would otherwise be eligible to hold offices to which appointed.

(E) The provisions of this Section shall apply to all local governmental subdivisions unless otherwise provided by the home rule charter or the home rule plan of government of the affected local governmental subdivisions.

(F) The provisions of this Section shall not apply to the office of judge of any state court of record or district attorney.

Read.

Delegate Champagne sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Champagne to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 18 through 32, both inclusive, in their entirety and on page 8, delete lines 1 through 32, both inclusive, in their entirety and on page 9, delete lines 1 through 6 in their entirety and insert in lieu thereof the following:

"Section 15. Filling of Vacancies; Appointment"

Section 15. Except in the office of assessor, or as otherwise provided in this constitution or a home rule charter, the legislature shall provide a uniform method by which local governments shall fill vacancies created other than by expiration of term of office."

On motion of Delegate Champagne the amendment was withdrawn.

Delegate Champagne sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Champagne to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 18 through 32, both inclusive, in their entirety and on page 8, delete lines 1 through 32, both inclusive, in their entirety and on page 9, delete lines 1 through 6 in their entirety and insert in lieu thereof the following:

"Section 15. Filling of Vacancies; Appointment"

Section 15. Except in the office of assessor, or as otherwise provided in this constitution or a home rule charter, the legislature shall provide a uniform method by which local governments shall fill vacancies created other than by expiration of term of office."

Delegate Champagne moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman

Avant

Bohlinger

Burson

Champagne

Chateilen

De Blieux

Dennis

Duslap

Ekins

Flory

Fontenot

Ginn

Total—38.

**NAVS**

Delegates—

Abraham

Alario

Arnette

Azeff

Badeaux

Bel

Bergeron

Blair

Brien

Brown

Cannon

Carmouche

Casey

Conino

Conroy

Corne

D'Ogerlamo

Deshotels

Drew

Duval

Fayard

Powder

Total—66.

**NOT VOTING**

Delegates—

Aerker

Alexander

Goldman

Hayes

Haynes

Jackson, A.

Jackson, J.

Kelly

Landry, E. J.

LeBlanc

Low

Mire

Newton

O'Neill

Pugh

Rachal

Reeves

Schmitt

Slay

Soniat

Stephenson

Tobias

Ulio

Velasquez

Wall

Warren

Wisham

Perkins

Planchard

Rayburn

Rhett

Robinson

Roemer

Segura

Singleton

Smith

Stagg

Stirton

Stoval

Sutherland

Tapper

Thompson

Toca

Toomey

Vesich

Weiss

Willis

Winchester

Zervigon

Burns

Chehardy
And the amendment was rejected.
Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

FLOOR AMENDMENT
Amendment proposed by Delegate Kean to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 7, delete lines 19 through 32, both inclusive, in their entirety and on page 8, delete lines 1 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. (A) Except as otherwise provided in this constitution, and except for the office of assessor, a vacancy in any local office filled by election wholly within the boundaries of a local governmental subdivision or a parish or city school district, shall be filled by appointment by the governing authority of such local governmental subdivision or school district in which the vacancy occurs, until it is filled by election as provided by law.

(B) The provisions of this Section shall apply to all local governmental subdivisions unless otherwise provided by the home rule charter or the home rule plan of government of the affected local governmental subdivisions."

Delegate Kean moved the adoption of the amendment.
Delegate Pugh objected.

By a vote of 96 yeas and 8 nays the amendment was adopted.

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage
Committee Proposal No. 17, Section 15, was read as amended.

Delegate Kean moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

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<tr>
<th>Delegate</th>
<th>Yeas</th>
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<td>Bollinger</td>
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Not Voting

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<th>Delegate</th>
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Total—28.

And the Chair declared that the above Section was passed.
Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Perez, the Convention altered the Order of Business to take up other Orders of Business at this time.

Leave of Absence
Delegate Dennery—1 day.
Delegate McDaniel—3 days.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Friday, September 28, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, September 28, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The roll being called, the following delegates answered to their names:

**PRESENT**

Delegates—
Mr. Chairman
Abraham
Ayerker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Berry
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conin
Conroy
Corne
Cowen
D’Gerolamo
De Blieux
Denner
Dennis
Derbes
Deshotels
Drew
Dunlap
Duval
Dunlap
Edwards
Elkins
Fayard
Flory

**ABSENT**

Delegates—
Giarusso
McDaniel

Total—123.

The roll call was ordered by Hon. E. L. Henry, Chairman of the Convention.

**Prayer**

Prayer was offered by Delegate De Blieux.

**Pledge of Allegiance**

Delegate Briene led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Delegate Bolinger, the reading of the Journal was dispensed with.

On motion of Delegate Bolinger, the Journal of yesterday was adopted.

**Regular Order**

**Unfinished Business**

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals**

**Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 17—**

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegate Burson, Cannon, Chatelain, Conin, D’Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo and Zervigon:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 17, when it adjourned on Thursday, September 27, 1973, which was taken up and acted upon as follows:

**Section 16. Legislation Increasing Financial Burden of Political Subdivisions; Local Approval**

Section 16. No law requiring an increase in expenditures, or a deduction from the funds of a political subdivision for salaries of local public officials or for wages, hours, working conditions, pension and retirement benefits, vacation or sick leave benefits of political subdivision employees, or an increase in commissions of or for local political subdivision offices, except a law providing for civil service, minimum wages, working conditions, and retirement benefits for firemen and policemen, shall have effect until approved by ordinance enacted by the governing authority of the political subdivision affected thereby or until the legislature appropriates funds to the affected political subdivision for that purpose and only to the extent and amount that such funds are provided.

Read.

Delegate Robinson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Robinson, Corne, and A. Jackson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 9, at the end of line 21, add the following:

"Nothing in this Section shall be construed as applying to parish and municipal school boards."

Delegate Robinson moved the adoption of the amendment. Delegate Asseff objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<th>Delegates—</th>
<th>Fowler</th>
<th>Nunez</th>
<th>O'Neill</th>
<th>Perez</th>
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<td>Fowler</td>
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**NAYS**

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<tr>
<th>Delegates—</th>
<th>Riecke</th>
<th>Sutherland</th>
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<tbody>
<tr>
<td>Asseff</td>
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<tr>
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<td>Total—5.</td>
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**NOT VOTING**

<table>
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<tr>
<th>Delegates—</th>
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<tr>
<td>Fowler</td>
<td>Total—120.</td>
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And the amendment was adopted.

Delegate Robinson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lennox sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Lennox to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 9, line 14, immediately after the word “offices” delete the punctuation and partial word “, ex-” and delete lines 15 and 16 in their entirety, and at the beginning of line 17 delete the partial word and punctuation “men.”

Delegate Tobias moved the previous question on the amendment.

Delegate J. Jackson objected.

By a vote of 17 yeas and 86 nays the Convention refused to order the previous question at this time.

Delegate Deshotels suggested the absence of a quorum and asked for a record vote.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Fowler</th>
<th>Perkins</th>
<th>Planchard</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>Conino</td>
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<td>Conroy</td>
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<tr>
<td>Corne</td>
<td>Cowen</td>
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<tr>
<td>Cowen</td>
<td>D’Gerolamo</td>
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<tr>
<td>D’Gerolamo</td>
<td>De Blieux</td>
<td></td>
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</tr>
<tr>
<td>De Blieux</td>
<td>Denney</td>
<td></td>
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<tr>
<td>Denney</td>
<td>Dennis</td>
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<tr>
<td>Dennis</td>
<td>Derbes</td>
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<td>Derbes</td>
<td>Drew</td>
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<td>Drew</td>
<td>Dunlap</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Duval</td>
<td>Elkins</td>
<td></td>
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<tr>
<td>Elkins</td>
<td>Fayard</td>
<td></td>
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<tr>
<td>Fayard</td>
<td>Flory</td>
<td></td>
<td></td>
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<tr>
<td>Flory</td>
<td>Fowler</td>
<td></td>
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</tr>
<tr>
<td>Fowler</td>
<td>Total—120.</td>
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<td></td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Riecke</th>
<th>Sutherland</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deshotels</td>
<td>Total—0.</td>
<td></td>
</tr>
</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Fontenot</th>
<th>Silverberg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brown</td>
<td>Giarrusso</td>
<td></td>
</tr>
<tr>
<td>Corne</td>
<td>McDaniel</td>
<td>Thistlewaite</td>
</tr>
<tr>
<td>Edwards</td>
<td>Ousso</td>
<td>Wall</td>
</tr>
<tr>
<td>Giarrusso</td>
<td></td>
<td>Wattigny</td>
</tr>
<tr>
<td>Fowler</td>
<td>Total—12.</td>
<td></td>
</tr>
</tbody>
</table>

And the Chairman announced that there were 120 members present and a quorum.

Delegate Lennox moved the adoption of the amendment.

Delegate Jack objected.

A record vote was asked for and ordered by the Convention.
ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
<th>NAYS</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Badeaux</td>
<td>Perez, Perkins, Perdue, Rice, Rice, Sandoz, Smirnoff, Stagg, Stoddard, Tate, Willis, Winchester</td>
<td></td>
<td></td>
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<tr>
<td>Bollinger</td>
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<tr>
<td>Burson</td>
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<tr>
<td>Casey</td>
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<tr>
<td>Champagne</td>
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<td>Chatelain</td>
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<td>Conino</td>
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<td>Convoy</td>
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<td>Cowen</td>
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<td>Denneri</td>
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<td>Derbes</td>
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<tr>
<td>Drew</td>
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<tr>
<td>Duval</td>
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<tr>
<td>Total—48.</td>
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</tbody>
</table>

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Asseff
Avant
Bergeron
Berry
Blair
Brien
Burns
Cannon
Carmouche
Chehardy
Comar
D'Gerolamo
De Bieux
Dennis
Deshotels
Dunlap
Fayard
Flory
Fowler
Ginn
Goldman
Total—73.

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Bel, Brown, Corne, Giarrusso, Hardie, McDaniel, Ours or, Silverberg</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total—11.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lowe sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Lowe to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 9 delete lines 7 through 21, both inclusive, in their entirety

Delegate Lowe moved the adoption of the amendment.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
<th>NAYS</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Drew, Perez, Rayburn, Sandoz, Smirnoff, Stagg, Sutherland, Tate, Willis, Winchester</td>
<td></td>
<td></td>
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<tr>
<td>Badeaux</td>
<td>Duval, Perkins, Perdue, Rice, Rice, Sandoz, Smirnoff, Stagg, Stoddard, Tate, Willis, Winchester</td>
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<tr>
<td>Bollinger</td>
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<td>Burson</td>
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<tr>
<td>Casey</td>
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<td>Champagne</td>
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<td>Chatelain</td>
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<td>Derbes</td>
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<td>Drew</td>
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<tr>
<td>Duval</td>
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<tr>
<td>Total—36.</td>
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</tbody>
</table>

Delegates—
Mr. Chairman
Abraham
Alario
Aertker
Anzalone
Asseff
Avant
Berry
Bollinger
Brien
Burns
Cannon
Carmouche
Chehardy
Comar
Crown
D'Gerolamo
Derbes
Deshotels
Dunlap
Edwards
Fayard
Flory
Fowler
Fulco
Ginn
Goldman
Total—78.

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Bel, Blair, Brown, Corne, Giarrusso, Hardie, McDaniel, Ours or, Silverberg</th>
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</thead>
<tbody>
<tr>
<td>Total—18.</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Edwards sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Mire, Martin, Slay, A. Landry, Tomcy, Ullo, Carmouche, Chehardy, Gravel, Winchester, Ours or, A. Jackson, Flory, Edwards, Avant, J. Jackson, Guarisco, Burson, Maubert, Duval, Planchard, Roy, Alario, Tota, Wattigny, Leithman, D'Gerolamo and Rayburn, to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 9, at the end of line 9, delete the word and punctuation ", or"

AMENDMENT No. 2—
On page 9, delete line 10 in its entirety
AMENDMENT No. 3—
On page 9, at the beginning of line 11, delete the following: “sires of local public officials or”

AMENDMENT No. 4—
On page 9, at the end of line 13, delete the following: “or an increase”

AMENDMENT No. 5—
On page 9, at the beginning of line 14, delete the following: “in commissions of or for local political subdivision officials,”

Delegate Mire moved the adoption of the amendment.

Delegate Abraham objected.

By a vote of 100 yea’s and 3 nay’s the amendment was adopted.

Delegate Mire moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Rachal sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Rachal, Chatelain, and J. Jackson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 9, line 15, after the word “service” and before the comma “,” add the following: “and, when not included under city or parish civil service”

Delegate Rachal moved the adoption of the amendment.

Delegate Flory objected.

By a vote of 43 yea’s and 71 nay’s the amendment was rejected.

Delegate Flory moved to reconsider; the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lennox sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Lennox to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 9 between lines 21 and 22 insert the following: “No local government subdivision shall discriminate in providing civil service, minimum wages, working conditions or retirement benefits against any of its employees individually or as a class, the provisions of this constitution or any general law notwithstanding.”

Delegate Lennox moved the adoption of the amendment.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—

Abraham
Bollinger
Burton
Carmouche
Casey
Chatelain
Corrino
Den nanny
Derbes
Gauthier
Grier
Helene
Hernandez
Jackson, J.
Juneau

Kean
Kelly
Landrum
Landry, A.
Lanier
Lennox
Lowe

Total—36.

NAYS

Delegates—

Alario
Alexander
Anzalone
Avecette
Asseff
Avant
Badeaux
Bergeron
Berry
Brown
Burns
Cannon
Champagne
Chehardy
Comar
Conroy
Cowell
D'Gerelamo
De Bileux
Dennis
Deshotels
Drew
Dunlap
Duvall
Edwards
Fulco
Gauthier
Gigan
Ginn
Goldenman
Gravel
Guarisco
Hayes
Jack
Jackson, A.
Jenkins
Kilbourne
Kilpatrick
Landry, E. J.
Leigh
Leithman
Martin
Mauberret
Mire
Nunez
O'Neil
Ousso
Perez
Planchard
Rachal
Sandoz
Smith
Soniat

Total—76.

NOT VOTING

Delegates—

Mr. Chairman
Aertker
Bel
Blair
Coron
Fontenot
Giarrusso

Total—20.

And the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Casey to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 9, line 15, after the word “a” and before the word “law” insert the word “general”

AMENDMENT No. 2—
On page 9, line 16, after the word “benefits” and before the word “firemen” strike out the word “for” and insert in lieu thereof the following: “which uniformly applies, both in terms and effect, to all”

Delegate Casey moved the adoption of the amendment.

Delegate Wall objected.

A record vote was asked for and obtained by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—

Abraham
Aertker
Bollinger
Burns

Miller
Perkins
Rachal
Riecke
Sandoz
Smith
Soniat

Stagg
Sutherland
Tobias
Velazquez
Warren
Wills
Winchester

546
And the amendments were rejected.

Delegate Wall moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Martin sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Edwards, Martin, and Ousro to Committee Proposal No. 17 by Delegate Perez, et al.

Amendment reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 9, line 18, after the word "and" and before the word "police-" insert the word "municipal"

Delegate Martin moved the adoption of the amendment.

Delegate Schmitt objected.

By a vote of 89 yeas and 22 nays the amendment was adopted.

Delegate Martin moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

And the Chair declared that the above Section was passed.

Delegate D'Gerolamo moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 17. Governing Authorities of Local Governmental Subdivisions; Control Over Agencies They Create**

Section 17. (A) In addition to any other powers granted by the legislature, the governing authority of a local governmental subdivision shall have the following discretionary powers over any agency herefore or hereafter created by it: (1) to appoint and remove members of the governing body of the agency; (2) to exercise budgetary and fiscal control over the agency, including the power to modify or veto its operating budget, veto or reduce line items, or substitute a different budget therefor; (3) to abolish the governing body of the agency and to substitute itself therefor, with authority to
exercise all of its powers and perform all of its functions; and (4) to abolish the agency if the obligations or indebtedness of the agency are not thereby impaired.

(B) No such agency shall have authority to levy a tax, impose any charge, or issue bonds unless the proposal therefor is first approved by the governing authority of the local governmental subdivision, and the requirements of this constitution and applicable laws relative to the levy of taxes and the issuance of bonds are complied with. However, after such original approval is granted no further approval shall be required.

(C) If the creation of the agency required the concurrence of two or more local governmental subdivisions, concurrence of all of them shall be required for the exercise of the above powers.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 9 delete lines 22 through 32, both inclusive, in their entirety and on page 10 delete lines 1 through 16, both inclusive, in their entirety.

Delegate Gravel moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Aertker
Alario
Alexander
Avant
Berry
Brien
Casey
Champagne
Chehardy
Corroy
Covwen
D'Gerolamo
DeBleux
Denney
Dunlap
Flory
Fulco

Total—51.

Gauthier
Ginn
Goldman
Gravel
Guarisco
Hayes
Heine
Jackson, A
Kilpatrick
Landry, E. J.
Leihman
Lowe
Mire
Newton
O'Nell
Perkins
Pugh
Roemer
Roy
Slay
Soniat
Stovall
Sutherland
Tapper
Tobias
Toca
Ullo
Vesich
Vick
Wall
Warren
Wattigny
Wisham
Womack

Singletary
Smith
Stagg
Stephenson

Total—37.

**NAYS**

Delegates—

Abraham
Anzalone
Arnette
Asseff
Badeaux
Bergere
Bollinger
Brown
Burns
Burson
Cannen
Carmouche
ChataiF
Comar
Conino

Dennis
Deshotel
Drew
Elkins
Fayard
Fowler
Grier
Hernandez
Jack
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Landry, A.
Lanier
LeBlanc
Leigh
Lennox
Martin
Mauberret
Nunez
Ourso
Perez
Planchard
Reeves
Riecke
Robinson
Sandoz

Stinson
Thompson
Toomy
Velazquez

**NOT VOTING**

Delegates—

Mr. Chalmers
Bel
Blair
Corne
Dorbis
Duval
Edwards
Fontenot

Total—24.

And the amendment was rejected.

Delegate Lanier moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kean sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Duval, Kean and Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 9, delete lines 24 through 32 in their entirety and on page 10 delete lines 1 through 16 in their entirety, and in lieu thereof insert the following:

"Section 17. The governing authority of a local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish any such agency and to require prior approval of any charge or tax levied, or bond issued by such agency."

On motion of Delegate Kean the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

In Convention Floor Amendment No. 1 proposed by Delegate Duval, et al., and adopted by the Convention on September 28, 1973, on line 5, of the language added thereby immediately after the words "such agency" and before the words "and to" insert the following:

"," to reverse or modify any decision of the agency"

Delegate Jenkins moved the adoption of the amendment.

Delegate Perez objected.

By a vote of 17 yeas and 85 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 17, Section 17, was read, as amended.

Delegate Perez moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham
Aertker
Alario
ness, the authority provided for by this Section shall not be exercised unless provision is made for the assumption of such indebtedness by the governing authority or authorities of the local governmental subdivisions involved.

Read.

Motion

Delegate Pugh moved the previous questions on the entire subject matter.

Delegate Robinson objected.

By a vote of 83 yeas and 21 nays and the previous question was ordered.

Delegate Zervigon moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates</td>
<td>Delegates</td>
</tr>
<tr>
<td>Abraham</td>
<td>Jenkins</td>
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<td>Pugh</td>
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<td>Alario</td>
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<td>Sutherland</td>
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<td>Tale</td>
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<td>Chehardy</td>
<td>Thompson</td>
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<td>Toomy</td>
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<td>Ullo</td>
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<td>D’Gerolamo</td>
<td>Velazquez</td>
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<td>De Blyeux</td>
<td>Vich</td>
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<td>Wall</td>
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<td>Warren</td>
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<td>Weiss</td>
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<td>Drew</td>
<td>Willis</td>
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<tr>
<td>Dunlap</td>
<td>Winchester</td>
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<td>Wishem</td>
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<td>Womack</td>
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<td>Mr. Chairman</td>
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And the Chair declared that the above Section was passed.

Delegate Zervigon moved to reconsider the vote by which the above Section was passed, and, on her own motion, the motion to reconsider was laid on the table.

Section 18. Special Districts and Local Public Agencies; Consolidation, Merger, and Assumption of Debt

Section 18. (A) Any local governmental subdivision may consolidate and merge into itself any special district of local public agency, except a school district, situated and having jurisdiction entirely within the boundaries of such local governmental subdivision. Upon such merger and consolidation the local governmental subdivision shall succeed to and be vested with all of the rights, revenues, resources, jurisdiction, authority, and powers of such special district or local public agency. No such merger and consolidation shall take effect unless a majority of the electors voting thereon in the local governmental subdivision as a whole and also a majority of the electors voting thereon in the affected special district vote in favor of such proposition. No such action involving a local public agency shall take effect unless a majority of the electors voting thereon in the local governmental subdivision in which the local public agency is located vote in favor thereof in an election held for that purpose.

(B) If the special district or local public agency which is consolidated and merged has any outstanding indebtedness, the authority provided for by this Section shall not be exercised unless provision is made for the assumption of such indebtedness by the governing authority or authorities of the local governmental subdivisions involved.

And the Chair declared that the above Section was passed.

Delegate Zervigon moved to reconsider the vote by which the above Section was passed, and, on her own motion, the motion to reconsider was laid on the table.

Section 19. Historic Preservation Districts

Section 19. (A) In order to promote the educational, cul-
tural, economic, and general welfare of the public through the preservation and protection of buildings, sites, monuments, structures, areas and districts of historic or architectural interest or importance, each local governmental subdivision, acting through a commission or otherwise, shall have the power and authority to establish, operate and maintain historic preservation areas and districts by the adoption of appropriate ordinances and laws, which is hereby declared to be for a public purpose.

(B) The governing authority of each local governmental subdivision shall have the power and authority of review to affirm, reverse or modify, in whole or in part, any action or decision of any such commission.

Motion

Delegate Chatelain moved that the Convention adjourn until Saturday, September 29, 1973 at 9:00 o'clock A.M.

Delegate Abraham objected.

By a vote of 36 yeas and 71 nays the Convention refused to adjourn until Saturday, September 29, 1973, at 9:00 o'clock A.M.

Delegate O'Neill sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates O'Neill, Lennox, Lowe, Wisham, A. Jackson, Flory, Haynes, Roy, and Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 11 delete lines 11 through 25, both inclusive, in their entirety.

Delegate O'Neill moved the adoption of the amendment.

Delegate Casey objected.

By a vote of 52 yeas and 60 nays the amendment was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Leave of Absence

Delegate Bel—1½ days.
Delegate Corne—½ day.
Delegate Segura—1½ days.
Delegate Haynes—1½ days.

Adjournment

Delegate Conroy moved that the Convention do now adjourn until Saturday, September 29, 1973 at 9:00 o'clock A.M.

Delegate Thompson objected.

By a vote of 96 yeas and 7 nays the Convention adjourned until Saturday, September 29, 1973, at 9:00 o'clock A.M.

And Vice-Chairman Miller declared the Convention adjourned to Saturday, September 29, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock A.M., by Hon. Ruth Miller, Vice-Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—

Abraham—Fulco
Aertker—Gauthier
Ariel—Ginn
Alexander—Goldman
Anzalone—Gravel
Arnette—Grier
Asseff—Guarisco
Avant—Hardee
Badeaux—Hayes
Bergeron—Heine
Blair—Hernandez
Bollinger—Jackson, A.
Brien—Jackson, J.
Burns—Jenkins
Burson—Juneau
Cannon—Kean
Carmouche—Kelly
Casey—Lambert
Champagne—Landrum
Chatelein—Landry, A.
Conino—Landry, E. J.
Conroy—Lanier
Corne—LeBleu
Covien—Leigh
D'Geralamo—Leithman
De Bieux—Lennox
Dennery—Lowe
Dennis—Martin
Derbes—Mauberret
Deshotsels—Miller
Drew—Mire
Dunlap—Newton
Duval—Nunez
Edwards—O'Neill
Elkins—Ousso
Elhay—Perez
Flory—Perkins
Fontenot—Planchard
Fowler—Pugh

Rachal—Rayburn
Reeves—Riecke
Robinson—Roemer
Roy—Sandoz
Schmitt—Segura
Shannon—Singletary
Slay—Smith
Soniat—Stagg
Stephenson—Stinson
Stovall—Sutherland
Tanner—Tate
Thistlethwaite—Tobias
Toca—Toomy
Ullo—Velazquez
Vesich—Vick
Wall—Warren
Wattigny—Weiss
Willis—Witcher
Wiseman—Wisham
Womack—Zervigon

ABSENT

Delegates—

Mr. Chairman—Giarrusso
Bel—Haynes
Berry—Kilbourne
Brown—Kilpatrick
Chehardy—McDaniel

Munson—Silverberg
Thompson

The Chairman announced that there were 119 members present and a quorum.

PRAYER

Prayer was offered by Delegate Landrum.

PLEDGE OF ALLEGIANCE

Delegate Reeves led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

READING OF THE JOURNAL

On motion of Delegate Toomy, the reading of the Journal was dispensed with.

On motion of Delegate Toomy, the Journal of yesterday was adopted.

REGULAR ORDER

UNFINISHED BUSINESS

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

PROPOSALS

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegate Burson, Cannon, Chatelain, Conino, D'Gerlamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon: A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Section 19. Historic Preservation Districts

Section 19. (A) In order to promote the educational, cultural, economic, and general welfare of the public through the preservation and protection of buildings, sites, monuments, structures, areas, and districts of historic or architectural interest or importance, each local governmental subdivision, acting through a commission or otherwise, shall have the power and authority to establish, operate and maintain historic preservation areas and districts by the adoption of appropriate ordinances and laws, which is hereby declared to be for a public purpose.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 17, Section 19, when it adjourned on Friday, September 28, 1973, which was taken up and acted upon as follows:

MOTION

On motion of Delegate Zervigon action on Committee Proposal No. 17, Sections 19 and 20, was deferred at this time.

Section 21. Industrial Areas

Section 21. The legislature may authorize parishes to create industrial areas within their boundaries in accordance with such procedures and subject to such regulations as the legislature shall determine. Industrial areas shall not be subdivisions of the state.

Read.

Delegate De Bieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates De Bieux, Schmit, Jenkins, Goldman and Vick to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—

On page 12 delete lines 4 through 9, both inclusive, in their entirety.

Delegate De Bieieux moved the adoption of the amendment.

Delegate Lennox objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham Kelly Say
Alexander Landrum Seniat
Champagne LeBleu Stagg
De Bieieux Newton Tate
Durlap Pugh Velazquez
Duval Rachal Vick
Ginn Roemer Warren
Goldman Schmitt Weiss
Guarisco
Total—25.

NAYS

Delegates—
Aertker Fayard Nunez
Alario Flory O'Neill
Anzalone Fontenot Perez
Arnette Fowler Planchard
Asseff Fuco Rayburn
Avant Gauthier Reeves
Badeaux Gravel Riecke
Bergeron Grier Robinson
Blair Hardee Sandoz
Bollinger Hayes Shannon
Brien Heine Singlelary
Burns Hernandez Smith
Burson Jack Stephenson
Cannon Jackson, A. Sutherland
Carmouche Jackson, J. Tappert
Casey Jenkins Thistlyeithwaite
Chateaum Juneau Tobias
Conor Kean Toca
Comar Landry, A. Toomy
Conroy Landry, E. J. Ullo
Cowell Lanier Veszich
DeGrolamo Leigh Wattigney
Denner Leithman Willis
Derbes Lennox Winchester
Deshotels Lowe Womack
Drew Martin Zervigon
Edwards Maubertet
Elkins Mire
Total—86.

NOT VOTING

Delegates—
Mr. Chairman Hayes Perkins
Bel Kilbourne Roy
Berry Kilpatrick Segura
Brown McDaniel Silverberg
Chehardy Miller Stovall
Dennis Muson Thompson
Giarrusso Ourso Wall
Total—21.

And the amendment was rejected.

Delegate Womack moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 12, line 6, after the word "create" and before the word "industrial" insert the words "and define"

On motion of Delegate Gravel the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Flory sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 12, line 6, after the word "punctuation" and before the word "industrial" insert the following: "All industrial areas so created hereafter shall include provisions for access by public road to any and all entrances to the premises of each and every plant in such area which entrances are provided for use by employees of such company, or for use by employees of independent contractors working on such premises, or for delivery of materials or supplies, other than by rail or water transportation, to such premises. Where individual plants provide police protection this protection shall be confined to the premises of each individual plant located in the area."

Delegate Flory moved the adoption of the amendment.

Delegate Arnette objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker Fuco Planchard
Alario Gauthier Pugh
Alexander Goldman Rayburn
Anzalone Gravel Rachal
Assaff Hardee Reeves
Avant Hayes Riecke
Bergeron Heine Robinson
Blair Hernandez Roemer
Brien Jack Roy
Burns Jackson, A. Sandoz
Cannon Jackson, J. Shannon
Carmouche Jenkins Slay
Chateaum Kean Smith
Comar Landry, A. Soniat
Conroy Landry, E. J. Stephenson
Cowell Lanier Sutherland
DeGrolamo Leigh Tapper
Denner Leithman Toca
Derbes Lennox Veszich
Deshotels Lowe Viek
Drew Martin Warren
Edwards Maubertet Wattigney
Fayard LeBleu Velazquez
Flory Lowe Willsie
Fowler Martin Winchester
Nunez Maubertet Winchesters
O'Neill Mire Womack
Perez Nunez Zervigon
Total—85.

NAYS

Delegates—
Aertker Badeaux
Alario Bollinger
Alexander Burson
Anzalone De Bieieux
57th Days Proceedings—September 29, 1973

Delegates—
Mr. Chairman
Bel
Berry
Brown
Chehardy
Cowie
Giarrusso
Ginn

Total—22.

NOT VOTING

Delegates—
Haynes
Kelly
Kilbourne
Clpatrick
Leigh
McDaniel
Miller

Total—21.

And the Chair declared that the above Section was passed.

Delegate Kean moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

EXPLANATION OF VOTE

Delegate Pugh sent up the following explanation of vote with respect to the question of the adoption of Section 21 of Committee Proposal No. 17:

“I have voted against this Section based upon my opinion that the subject matter thereof is purely legislative in nature.”

Section 22. Creation of Special Districts by the Legislature; Authority

Section 22. Subject to the limitations imposed in this constitution, the legislature by general law or by local or special law may create or authorize the creation of special districts, boards, agencies, commissions, and authorities of any type, define their powers, and grant to the special districts, boards, agencies, commissions, and authorities so created such rights, powers, and authorities as it deems proper, including, but not limited to, the power of taxation, the power to incur debt and issue bonds, and the power to reclaim property from the beds of lakes and streams.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aerker
Alario
Alexander
Anzalone
Arnette
Asseg
Avant
Badeaux
Bergeron
Blair
Bollinger
Brier
Burns
Burns
Cannon
Carmouche
Casey
Chatelain
Comar
Conino
Conroy
Corne
D'Gerolamo
Dennery
Derbis
Desthetels
Drew
Dunlap
Edwards
Bikins
Payard
Flory

Total—97.

NAYS

Delegates—
Guarisco, Landrum, Newton, Pugh, Schmitt

Total—14.

NOT VOTING

Delegates—
Mr. Chairman
Bel
Berry
Brown
Chehardy
Cowie
Giarrusso

Total—21.

And the Chair declared that the above Section was passed.

Delegate Kean moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

EXPLANATION OF VOTE

Delegate Pugh sent up the following explanation of vote with respect to the question of the adoption of Section 21 of Committee Proposal No. 17:

“I have voted against this Section based upon my opinion that the subject matter thereof is purely legislative in nature.”

Section 22. Creation of Special Districts by the Legislature; Authority

Section 22. Subject to the limitations imposed in this constitution, the legislature by general law or by local or special law may create or authorize the creation of special districts, boards, agencies, commissions, and authorities of any type, define their powers, and grant to the special districts, boards, agencies, commissions, and authorities so created such rights, powers, and authorities as it deems proper, including, but not limited to, the power of taxation, the power to incur debt and issue bonds, and the power to reclaim property from the beds of lakes and streams.

Read.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, line 20, after the word “bonds” change the comma “,” to a period “.” and delete the remainder of the line and delete line 21 in its entirety

On motion of Delegate Avant the amendment was adopted.

Delegate Avant moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, line 12, after the word “to” and before the word “this” delete the words “the limitations imposed in” and insert in lieu thereof:

“and not inconsistent with the provisions of”

Delegate Gravel moved the adoption of the amendment.

Delegate Anzalone objected.

By a vote of 99 yeas and 4 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux, Roemer, Berry, Schmitt, Guarisco, Champagne, and J. Jackson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 12, delete lines 10 through 21, both inclusive, in their entirety including all Convention Floor Amendments thereto.

Delegate De Blieux moved the adoption of the amendment.

Delegate Perez objected.

By a vote of 14 yeas and 91 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Champagne sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Champagne to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 12, line 19, immediately after the word “proper” change the comma “,” to a period “.” and delete the remainder of the line and delete lines 20 and 21 in their entirety.

On motion of Delegate Kean the previous question was ordered on the amendment.

On motion of Delegate Champagne, and under a suspension of the rules, the amendment was withdrawn.

**Passage**

Committee Proposal No. 17, Section 22, was read as amended.

Delegate Kean moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham — Denney — Jackson, J.
Aertker — Dennis — Juneau
Alario — Derbes — Kean
Alexander — Drew — Kelly
Anzalone — Dunlap — Lambert
Arnette — Edwards — Landrum
Asseff — Elkins — Landry, A.
Avant — Fayard — Landry, E. J.
Badeaux — Flory — Lanier
Bergeron — Fontenot — LeBeau
Blair — Fowler — Leigh
Bollinger — Fuco — LeBlanc
Brown — Gauthier — Lennox
Burns — Glenn — Lowe
Burson — Goldman — Martin
Cannon — Gravel — Maubertre
Carmouche — Grier — Mire
Casey — Guarisco — Nunez
Chatelain — Hardee — O'Neill
Conino — Hayes — Perez
Conroy — Heine — Perkins
Corne — Hernandez — Planeard
Cowen — Jack — Rachal
D'Gerolamo — Jackson, A. — Rayburn

Reeves — Stephenson — Velazquez
Riecke — Stinson — Vesch
Robinson — Stovell — Vick
Roemer — Sutherland — Wall
Roy — Tapper — Warren
Sandoz — Tate — Wattigney
Shannon — Thistlethwaite — Willis
Singletary — Tobias — Wisham
Slay — Toce — Womack
Smith — Toomy — Zervigon
Soniat — Ulio —
Stagg —

Total—106.

**NAYS**

Delegates—

Jenkins — Schmitt —
De Blieux — Newton — Weiss
Duval — Pugh

Total—8.

**NOT VOTING**

Delegates—

Mr. Chairman —
Bel — Deshotels —
Berry — Girard —
Brown — Kilbourne —
Chehardy — Kipkerrick —
Comar — McDaniel —

Total—18.

And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**EXPLANATION OF VOTE**

Delegate Pugh offered the following explanation of vote with respect to the question of the adoption of Section 22 of Committee Proposal No. 17:

“I have voted against this Section based upon my opinion that the subject matter thereof is purely legislative in nature.”

**Section 23, Intergovernmental Cooperation**

Section 23. (A) Any political subdivision may exercise and perform any of its authorized powers and functions, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, the United States or agencies thereof, except as the legislature shall provide otherwise by law.

(B) Except as otherwise provided in this constitution, the legislature shall not require political subdivisions to exercise powers or perform functions jointly or in cooperation with any other political subdivision, nor shall the legislature require consolidation of governmental functions of local governmental subdivisions. However, the legislature may enact laws authorizing the consolidation of political subdivisions or the joint exercise of powers and performance of functions by political subdivisions, but no such law shall become effective until submitted to and approved by two-thirds of the electors in each of the political subdivisions affected thereby, who vote in an election called for that purpose.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham — Denney — Jackson, J.
Aertker — Dennis — Juneau
Alario — Derbes — Kean
Alexander — Drew — Kelly
Anzalone — Dunlap — Lambert
Arnette — Edwards — Landry, A.
Asseff — Elkins — Landry, E. J.
Avant — Fayard — Lanier
Badeaux — Flory — LeBeau
Bergeron — Fontenot — Leigh
Blair — Fowler — LeBlanc
Bollinger — Fuco — Lennox
Brown — Gauthier — Lowe
Burns — Glenn — Martin
Burson — Goldman — Maubertre
Cannon — Gravel — Mire
Carmouche — Grier — Nunez
Casey — Guarisco — O'Neill
Chatelain — Hardee — Perez
Conino — Hayes — Perkins
Conroy — Heine — Planeard
Corne — Hernandez — Rachal
Cowen — Jack — Rayburn

Reeves — Stephenson — Velazquez
Riecke — Stinson — Vesch
Robinson — Stovell — Vick
Roemer — Sutherland — Wall
Roy — Tapper — Warren
Sandoz — Tate — Wattigney
Shannon — Thistlethwaite — Willis
Singletary — Tobias — Wisham
Slay — Toce — Womack
Smith — Toomy — Zervigon
Soniat — Ulio —
Stagg —

Total—106.

**AMENDMENT No. 1—**

On page 12, line 23, after the word “subdivision” and before the word “may” insert the following: “or school board”

**AMENDMENT No. 2—**

the comma “,“ insert the following: “or school boards”

**AMENDMENT No. 3—**

On page 12, line 30, after the word “subdivisions” and before the word “to” insert the following: “or school boards”
AMENDMENT No. 4—
On page 12, line 32, after the word "subdivision" and before the comma "," insert the following:
"or school boards"

Delegate Burson moved the adoption of the amendment.

Delegate Pugh objected.

By a vote of 92 yea's and 13 nay's the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, delete lines 23 through 32, both inclusive, in their entirety and on page 13 delete lines 1 through 8, both inclusive, including all Convention Floor Amendments thereto in their entirety and insert in lieu thereof the following:

"Section 23. Except as otherwise provided by law, any political subdivision may, but shall not be required to, exercise any of its authorized powers and functions, including financing, jointly or in cooperation with one or more political subdivisions, either with the state, the United States, or agencies thereof."

Delegate Pugh moved the adoption of the amendment.

Delegate Perez objected.

By a vote of 27 yea's and 77 nay's the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Flory sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Flory to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 12, line 28, after the word "within" and before the word "the" delete the words "or without"

On motion of Delegate Flory the amendment was withdrawn.

On motion of Delegate Flory further action on Section 23 was deferred at this time.

Section 24. Assistance to Local Industry by Political Subdivisions

Section 24. (A) Subject to such restrictions as it may impose, the legislature may authorize any political subdivision, deep-water port commission, or deep-water port, harbor, and terminal district, in order (1) to induce and encourage the location of or addition to industrial enterprises therein, or (2) to provide for the establishment and furnishing of industrial plants for the conversion or processing of raw farm or agricultural products, or (3) to provide movable or immovable property, or both, for pollution control facilities; (a) to issue bonds, subject to the approval of the State Bond Commission or any successor thereto, and use the funds derived from the sale thereof to acquire and improve industrial plant sites and other property necessary to the purposes thereof; (b) to acquire, through purchase or otherwise, and to improve, industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances; and (c) to sell, lease, or otherwise dispose of all or any part of the foregoing.

(B) It is hereby found and declared that the purposes designed to be accomplished herein are public and proper legal purposes and will be of public benefit to the political subdivision, deep-water port commission, or deep-water port, harbor, and terminal district issuing the bonds.

Read.

Delegate Jenkins sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegate Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 13, line 22, after the word "acquire" and before the word "and" insert the following:

"by purchase, donation, or exchange"

AMENDMENT No. 2—
On page 13, line 24, after the words "acquire" delete the remainder of the line and at the beginning of line 25 delete the words and punctuation "or otherwise," and insert in lieu thereof the following:

"by purchase, donation, or exchange"

AMENDMENT No. 3—
On page 13 delete lines 29 through 32, both inclusive, in their entirety and on page 14 delete line 1 in its entirety.

Motion
On motion of Delegate Smith, the Convention altered the Order of Business to take up other Orders of Business at this time.

COMMITTEE NOTICE
Mr. Aertker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Thursday, October 4, 1973, at 9:00 o'clock A.M. in Committee Room No. 5 and will consider the following agenda:

AGENDA
Consideration of Delegate Proposals Nos. 54, 66, 92, 3, 53.

Respectfully submitted,

DELEGATE ROBERT J. AERTKER,
Chairman of the Committee on Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence
Delegate Kilpatrick—1 day.
Delegate Kilbourne—1 day.
Delegate Thompson—1 day.
Delegate Chehardy—1 day.

Adjournment
Delegate Nunez moved that the Convention do now adjourn until Tuesday, October 2, 1973, at 1:30 o'clock P.M.

As a substitute Delegate Lennox moved that the Convention adjourn until Tuesday, October 2, 1973, at 1:00 o'clock P.M.

The vote recurred on the longest period of time.

By a vote of 65 yea's and 11 nay's the Convention adjourned until Tuesday, October 2, 1973, at 1:30 o'clock P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Abraham.

Pledge of Allegiance

Delegate Arnette led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Warren, the reading of the Journal was dispensed with.

On motion of Delegate Warren, the Journal of yesterday was adopted.

Morning Hour
Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Tommy, Ullo and Zervigon:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Section 24. Assistance to Local Industry by Political Subdivisions

Section 24. (A) Subject to such restrictions as it may impose, the legislature may authorize any political subdivision, deep-water port commission, or deep-water port, harbor, and terminal district, in order (1) to induce and encourage the location of or addition to industrial enterprises therein, or (2) to provide for the establishment and furnishing of industrial plants for the conversion or processing of raw farm or agricultural products, or (3) to provide movable or immovable property, or both, for pollution control facilities: (a) to issue bonds, subject to the approval of the State Bond Commission or any successor thereto, and use the funds derived from the sale thereof to acquire and improve industrial plant sites and other property necessary to the purposes thereof; (b) to acquire, through purchase or otherwise, and to improve, industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances; and (c) to sell, lease, or otherwise dispose of all or any part of the foregoing.

(B) It is hereby found and declared that the purposes designed to be accomplished herein are public and proper legal purposes and will be of public benefit to the political subdivision, deep-water port commission, or deep-water port, harbor, and terminal district issuing the bonds.

Read.

Delegate Jenkins sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprint as engrossed proposal as follows:

AMENDMENT No. 1—

On page 13, line 22, after the word “acquire” and before the word “and” insert the following: “by purchase, donation, or exchange.”

AMENDMENT No. 2—

On page 13, line 24, after the word “acquire” delete the
58th Days Proceedings—October 2, 1973

remainder of the line and at the beginning of line 25 delete the words and punctuation “or otherwise,” and insert in lieu thereof the following:
“by purchase, donation, or exchange”

AMENDMENT No. 3—
On page 13 delete lines 29 through 32, both inclusive, in their entirety and on page 14 delete line 1 in its entirety.

The Chairman announced that the Convention had under consideration the above amendments proposed by Delegate Jenkins to Committee Proposal No. 17, Section 24, when it adjourned on Saturday, September 29, 1973, which was taken up and acted upon as follows:

On motion of Delegate Jenkins a division of the question was ordered.

Delegate Jenkins moved the adoption of amendment No. 1.

Delegate Cannon objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham
Arnette
Asseff
Berry
Bollinger
Brown
Cone
De Bieux
Dulap
Fulco
Goldman
Total—30.

NAYS

Delegates—
Aertker
Anzalone
Badeaux
Bergeron
Blair
Burns
Burson
Cannon
Carmouche
Cassey
Chastain
Chehardy
Comar
Conino
Conroy
D’Gerolamo
Dennis
Derbes
Total—60.

NOT VOTING

Delegates—
Mr. Chairman
Alario
Alexander
Avant
Bel
Brown
Cowen
Dennery
Deshotels
Drew
Duval
Edwards
Elkins
Fontenot
Total—45.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins moved the adoption of amendment No. 2.

Delegate Cannon objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Arnette
Bergeron
Blair
Burns
Burson
Cannon
Carmouche
Conroy
Cone
De Bieux
Dulap
Fulco
Goldman
Total—30.

NAYS

Delegates—
Aertker
Anzalone
Asseff
Badeaux
Bergeron
Blair
Burns
Burson
Cannon
Carmouche
Cassey
Chastain
Chehardy
Comar
Conino
Conroy
D’Gerolamo
Dennis
Derbes
Total—60.

NOT VOTING

Delegates—
Mr. Chairman
Alario
Alexander
Avant
Bel
Brown
Cowen
Dennery
Deshotels
Drew
Duval
Edwards
Elkins
Fontenot
Total—42.

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins moved the adoption of amendment No. 3.

Delegate Cannon objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Arnette

557
“Subject to such restrictions as it may impose, the legislature may authorize any political subdivision, deep-water port commission, or deep-water port, harbor, and terminal district, in order (1) to induce and encourage the location of or addition to industrial enterprises therein which would have economic impact upon the area and thereby the state, or (2) to provide for the establishment and furnishing of such industrial plant, or (3) to provide movable or immovable property, or both, for pollution control facilities: (a) to issue bonds, subject to the approval of the State Bond Commission, or any successor thereto, and to use the funds derived from the sale thereof to acquire and improve industrial plant sites and other property necessary to the purposes thereof; (b) to acquire, through purchase, donation, exchange, and subject to Article II, Section 4, expropriation, and to improve industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances; and (c) to sell, lease, lease-purchase, or demolish all or any part of the foregoing.”

Delegate Cannon moved the adoption of the amendments.
Delegate LeBleu objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—

Abraham
Annalene
Arnette
Asseff
Avant
Badeaux
Bergeron
Berry
Bollinger
Brown
Burns
Burton
Cannon
Carmouche
Casey
Chabalain
Chehrey
Comar
Conino
Conroy
D' Gerolamo
De Blieux
Derbes
Fayard

Delegates—

Mr. Chairman
Alario
Alexander
Avant
Bel
Browne
Cowen
Denery
Deshotel
Drew
Duval
Edwards
Elkins
Fontenot

Total—40.

Gauthier
Guiransco
Jack
Lambert
Landry, J.
Leigh
McDaniel
Miller
Monson
Pugh
Rachal
Rayburn
Schmitt
Segura
Silverberg
Say
Smith
Stephenson
Stinson
Stovall
Ullo
Weiss
Winchester
Wisner

NAYS

Delegate—

LeBleu
Maubert
Perkins
Reeves

NOT VOTING

Delegate—

Mr. Chairman
Aertker
Alario
Alexander
Bel
Blair
Cowen
Denery
Drew
Edwards
Elkins
Gauthier
Jack

Total—38.

Jackson, J.
Lambert
Landry, A.
Leigh
Leithman
McDaniel
Monson
Ousso
Pugh
Rachal
Rayburn
Schmitt
Segura
Silverberg
Say
Smith
Stephenson
Stinson
Stovall
Ullo
Toomie
Vick
Wall
Weiss
Winchester
Wisner

And the amendments were rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Cannon sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Cannon to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 13, line 10, after the partial word “divisions” add the following:
Deep-Water Port Commission, or Deep-Water Port, Harbor, and Terminal Districts

AMENDMENT No. 2—
On page 13, line 11, after “Section 24,” delete the remainder of the line and delete lines 12 through 32, both inclusive, in their entirety, and on page 14 delete line 1 in its entirety, and insert in lieu thereof the following:

And the amendments were adopted.

Delegate Cannon moved to reconsider the vote by which
Delegate Avant sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, between lines 1 and 2, and following the language added by Convention Floor Amendment No. 1 proposed by Delegate Cannon and adopted by the Convention on October 2, 1973, add the following:

> “No property expropriated under the authority of this Article shall ever, directly or indirectly, be transferred to or leased to any foreign power, any alien, or any corporation in which the majority of the stock is controlled by any foreign power, alien corporation, or alien.”

On motion of Delegate Avant the amendment was withdrawn.

Delegate Avant sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Avant to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, between lines 1 and 2, and following the language added by Convention Floor Amendment No. 2 proposed by Delegate Cannon and adopted by the Convention on October 2, 1973, add the following:

> “No property expropriated under the authority of this Article shall ever, directly or indirectly, be sold or donated to any foreign power, any alien, or any corporation in which the majority of the stock is controlled by any foreign power, alien corporation, or alien.”

Delegate Avant moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham

Arnette

Avant

Badeaux

Burns

Burson

Cannon

Carmouche

Champagne

Conino

D’Gerolamo

De Bieux

Duplan

Fayard

Flory

Fulco

Gauchier

Ginn

Goldman

Total—56.

Delegates—

Alario

Anzalone

NAYs

O’Neill

Perkins

Pianchard

Reeves

Riecke

Roy

Sandoz

Shannon

Sutherland

Tapper

Thompson

Velasquez

Vesich

Warren

Wattigny

Willis

Wisham

Womack

**NOT VOTING**

Delegates—

Jackson, J.

Aertker

Alexander

Bel

Blair

McDaniel

Munson

Ourso

Pugh

Rachal

Rayburn

Schmitt

Segura

Perez

Robinson

Roemer

Singleterry

Soniat

Stagg

Tate

Thistlethwaite

Tobins

Toca

Tommy

Vick

Zervigon

Delegate Avant moved the adoption of the amendment.

Delegate Perez objected.
By a vote of 4 yeas and 61 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 17, Section 24, was read, as amended.

Delegate Perez moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<tr>
<td>Mr. Chairman</td>
<td>Fayard</td>
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<td>A.Ario</td>
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<td>Willis</td>
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<td>D'Gerolamo</td>
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<td>Winp</td>
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<tr>
<td>De Blieux</td>
<td>Lowisham</td>
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<tr>
<td>Derbes</td>
<td>Mauberret</td>
<td>Zervigon</td>
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<tr>
<td>Deshotels</td>
<td>Miller</td>
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<td>Dunlap</td>
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<td>Total—85.</td>
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**NAYS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Arnette</td>
<td>Lanier</td>
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<tr>
<td>Brien</td>
<td>LeBleu</td>
<td>Singletary</td>
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<td>Dennis</td>
<td>Newton</td>
<td>Soniat</td>
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<td>Duval</td>
<td>O'Neill</td>
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<td>Haynes</td>
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<td>Tobias</td>
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<td>Jackson, J.</td>
<td>Roemer</td>
<td>Warren</td>
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<td>Jenkins</td>
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<td>Total—19.</td>
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**NOT VOTING**

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<tr>
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<td>Slay</td>
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<td>Lambert</td>
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<td>Total—28.</td>
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And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Perez, the Convention altered the Order of Business to take up Committee Proposal No. 17, Section 18, at this time.

**Section 19. Historic Preservation Districts**

Section 19. (A) In order to promote the educational, cultural, economic, and general welfare of the public through the preservation and protection of buildings, sites, monuments, structures, areas and districts of historic or architectural interest or importance, each local governmental subdivision acting through a commission or otherwise, shall have the power and authority to establish, operate and maintain historic preservation areas and districts by the adoption of appropriate ordinances and laws, which is hereby declared to be for a public purpose.

(B) The governing authority of each local governmental subdivision shall have the power and authority of review to affirm, reverse or modify, in whole or in part, any action or decision of any such commission.

Read.

The Chairman announced that action was deferred on Committee Proposal No. 17, Section 19, on Saturday, September 29, 1973, which was taken up and acted upon as follows:

Delegate Derbes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Derbes, Mauberreti, Miller, Burson, Chaléain, Conino, Zervigon, Kean, Landrum, Velazquez, Vesich, Brown, J. Jackson and Guasacco to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 11, delete lines 11 through 25, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 19. Land Use, Zoning and Historic Preservation

Section 19. Local governmental subdivisions shall have authority (1) to adopt regulations for land use, zoning and historic preservation, which authority is declared to be a public purpose; (2) to create commissions and districts to implement such; (3) to review decisions of any any such commissions; (4) and to adopt standards for use, construction, demolition and modification of areas and structures. Existing constitutional authority for historic preservation districts is retained."

Delegate Derbes moved the adoption of the amendment.

Delegate Lennox objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<td>Abraham</td>
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**NAYS**

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<tr>
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<td>Total—85.</td>
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</table>

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 11, delete lines 11 through 25, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 19. Land Use, Zoning and Historic Preservation

Section 19. Local governmental subdivisions shall have authority (1) to adopt regulations for land use, zoning and historic preservation, which authority is declared to be a public purpose; (2) to create commissions and districts to implement such; (3) to review decisions of any any such commissions; (4) and to adopt standards for use, construction, demolition and modification of areas and structures. Existing constitutional authority for historic preservation districts is retained."

Delegate Derbes moved the adoption of the amendment.

Delegate Lennox objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Carmouche</td>
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<td></td>
</tr>
<tr>
<td>Casey</td>
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</tr>
<tr>
<td>Champagne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chaléain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chehardy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conroy</td>
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</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Corne</td>
<td></td>
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</tr>
<tr>
<td>Cowen</td>
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<td></td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Derbes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deshotels</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunlap</td>
<td></td>
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</tr>
<tr>
<td>Total—85.</td>
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Perez
Perkins
Planchard
Rachal
Rayburn
Reeves
Riecke
Robinson
Roemer
Sandez
Shannon

Singletary
Soniat
Stagg
Stephenson
Stovall
Sutherland
Tapper
Tate
Thistlethwaite
Thompson
Tobias

Toca
Toomy
Veáquez
Vesich
Vick
Warren
Wattigny
Willis
Wisham
Zervigon

Total—98.

Delegates—
Arnette
Avant
De Blieux

Duval
Lennox
Lowe

Newton
O’Neill
Roy

Delegates—
Mr. Chairman
Aertker
Bel
Burns
Denney
Drew
Elkins
Jack
Lambert

Landry, A.
Leigh
McDaniel
Martin
Pugh
Schmitt
Segura
Silverberg

Slay
Smith
Stinson
Ullo
Wall
Weiss
Winchester
Womack

Not Voting

Total—9.

AMENDMENT No. 2—
On page 11, line 11, in Committee Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, on line 3, immediately after the word “adopt” and before the word “regulation” insert the word “reasonable.”

AMENDMENT No. 3—
On page 11, line 11, in Committee Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, on line 4, immediately after the word and punctuation “preservation,” delete the words “which authority” and on line 5, immediately before the number “2,” delete the words and punctuation “is declared to be a public purpose;” and insert in lieu thereof the following:
“for any public purpose within the scope of their authority;”

AMENDMENT No. 4—
On page 11, line 11, in Committee Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, at the end of the amendment add the following:
“When any regulation or ordinance results in a taking of property, just compensation shall be paid in accord with other provisions of this constitution.”

On motion of Delegate Jenkins a division of the question was ordered.
Delegate Jenkins moved the adoption of Amendment No. 1.
Delegate Derbes objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Chairman
Aertker
Arnette
Avant
Berry
Bollinger
Dunlap
Duval
Flory
Fulco
Goldman

Gravel
Guisrico
Hayes
Hernandez
Jackson, A.
Jackson, J.
Landry, E. J.
LeBleu
Leifman
Lennox

Newton
O’Neill
Perkins
Reeves
Roemer
Roy
Singletary
Stagg
Stephenson
Sutherland
Thompson
Wattigny
Wisham

Total—39.

NAYS

Mr. Chairman
Abraham
Aertker
Arnette
Avant
Badeaux
Berry
Bollinger
Dunlap
Duval
Flory
Fulco
Goldman

Gravel
Guisrico
Hayes
Hernandez
Jackson, A.
Jackson, J.
Landry, E. J.
LeBleu
Leifman
Lennox

Newton
O’Neill
Perkins
Reeves
Roemer
Roy
Singletary
Stagg
Stephenson
Sutherland
Thompson
Wattigny
Wisham

Total—67.

By a vote of 15 yeas and 79 nays the amendment was rejected.
Delegate Perez objected.

AMENDMENT No. 1—
On page 11, line 11, in Floor Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, on line 2, immediately after the number and punctuation “19,” and before the word “governmental” delete the word “Local” and insert in lieu thereof the following:
“Subject to and except as may be inconsistent with this constitution, general law or the local charter, local”

AMENDMENT No. 2—
On page 11, line 11, in Committee Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, on line 3, immediately after the word “adopt” and before the word “regulation” insert the word “reasonable.”

AMENDMENT No. 3—
On page 11, line 11, in Committee Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, on line 4, immediately after the word and punctuation “preservation,” delete the words “which authority” and on line 5, immediately before the number “2,” delete the words and punctuation “is declared to be a public purpose;” and insert in lieu thereof the following:
“for any public purpose within the scope of their authority;”

AMENDMENT No. 4—
On page 11, line 11, in Committee Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, at the end of the amendment add the following:
“When any regulation or ordinance results in a taking of property, just compensation shall be paid in accord with other provisions of this constitution.”

On motion of Delegate Jenkins a division of the question was ordered.
Delegate Jenkins moved the adoption of Amendment No. 1.
Delegate Derbes objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Chairman
Aertker
Arnette
Avant
Berry
Bollinger
Dunlap
Duval
Flory
Fulco
Goldman

Gravel
Guisrico
Hayes
Hernandez
Jackson, A.
Jackson, J.
Landry, E. J.
LeBleu
Leifman
Lennox

Newton
O’Neill
Perkins
Reeves
Roemer
Roy
Singletary
Stagg
Stephenson
Sutherland
Thompson
Wattigny
Wisham

Total—39.

NAYS

Mr. Chairman
Abraham
Aertker
Arnette
Avant
Badeaux
Berry
Bollinger
Dunlap
Duval
Flory
Fulco
Goldman

Gravel
Guisrico
Hayes
Hernandez
Jackson, A.
Jackson, J.
Landry, E. J.
LeBleu
Leifman
Lennox

Newton
O’Neill
Perkins
Reeves
Roemer
Roy
Singletary
Stagg
Stephenson
Sutherland
Thompson
Wattigny
Wisham

Total—67.
Delegates—

<table>
<thead>
<tr>
<th>Bel</th>
<th>Leigh</th>
<th>Smith</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennery</td>
<td>McDaniel</td>
<td>Stinson</td>
</tr>
<tr>
<td>Dennis</td>
<td>Martin</td>
<td>Thistlewaite</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Miller</td>
<td>Ull</td>
</tr>
<tr>
<td>Drew</td>
<td>Pugh</td>
<td>Wall</td>
</tr>
<tr>
<td>Elkins</td>
<td>Robinson</td>
<td>Weiss</td>
</tr>
<tr>
<td>Jack</td>
<td>Segura</td>
<td>Winchester</td>
</tr>
<tr>
<td>Lambert</td>
<td>Slay</td>
<td>Womack</td>
</tr>
<tr>
<td>Landry, A.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total—26.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins moved the adoption of amendment No. 2.

Delegates—

<table>
<thead>
<tr>
<th>Bel</th>
<th>Goldsman</th>
<th>Lowe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennery</td>
<td>Guarisco</td>
<td>Newton</td>
</tr>
<tr>
<td>Dennis</td>
<td>Hardee</td>
<td>O'Neil</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Hayes</td>
<td>Roemer</td>
</tr>
<tr>
<td>Drew</td>
<td>Haynes</td>
<td>Roy</td>
</tr>
<tr>
<td>Elkins</td>
<td>Jackson, A.</td>
<td>Singletary</td>
</tr>
<tr>
<td>Jack</td>
<td>Jackson, J.</td>
<td>Slag</td>
</tr>
<tr>
<td>Lambert</td>
<td>Jenkins</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Landry, E.</td>
<td>De Blieux</td>
<td>Tapper</td>
</tr>
<tr>
<td>Total—26.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

Delegates—

<table>
<thead>
<tr>
<th>Yeas</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Aerkter</td>
<td>Hayes</td>
<td>Reeves</td>
</tr>
<tr>
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<td>Haynes</td>
<td>Roemer</td>
</tr>
<tr>
<td>Azenalone</td>
<td>McDaniel</td>
<td>Roy</td>
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<tr>
<td>Asseff</td>
<td>Hernandez</td>
<td>Shannon</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Jackson, A</td>
<td>Singletary</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Kilbourne</td>
<td>Slag</td>
</tr>
<tr>
<td>Blair</td>
<td>Landrum</td>
<td>Stephenson</td>
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<tr>
<td>Burns</td>
<td>Langry, E.</td>
<td>Sutherand</td>
</tr>
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<td>Burston</td>
<td>LeBleu</td>
<td>Tapper</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Leithman</td>
<td>Thompson</td>
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<tr>
<td>Casey</td>
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<td>Vick</td>
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<td>Champagne</td>
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<td>Waltingly</td>
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<tr>
<td>Chafelden</td>
<td>Newton</td>
<td>Wismus</td>
</tr>
<tr>
<td>Comar</td>
<td>O'Neill</td>
<td></td>
</tr>
<tr>
<td>Conino</td>
<td>Perkins</td>
<td></td>
</tr>
<tr>
<td>Conroy</td>
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<td>Corne</td>
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<tr>
<td>Cowen</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Derbes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edwards</td>
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</tr>
<tr>
<td>Fyayard</td>
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<td>Total—43.</td>
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Delegates—

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<td>Rieche</td>
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<td>Robinson</td>
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<td>Gravel</td>
<td>Sandso</td>
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<td>Grier</td>
<td>Schmitt</td>
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<td>Carmouche</td>
<td>Heine</td>
<td>Soniat</td>
</tr>
<tr>
<td>Casey</td>
<td>Jackson, J</td>
<td>Stovall</td>
</tr>
<tr>
<td>Champagne</td>
<td>Juneau</td>
<td>Tace</td>
</tr>
<tr>
<td>Chafelden</td>
<td>Keen</td>
<td>Tobias</td>
</tr>
<tr>
<td>Comar</td>
<td>Kelly</td>
<td>Toomy</td>
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<td>Conino</td>
<td>Kilpatrick</td>
<td>Velazquez</td>
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<td>Vich</td>
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<td>Willis</td>
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<td>Cowen</td>
<td>Mire</td>
<td>Zervigon</td>
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<tr>
<td>D'Gerolamo</td>
<td>Munson</td>
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</tr>
<tr>
<td>Derbes</td>
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<td></td>
</tr>
<tr>
<td>Edwards</td>
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<tr>
<td>Fyayard</td>
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<tr>
<td>Total—70.</td>
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</table>

Delegates—

<table>
<thead>
<tr>
<th>Not voting</th>
<th>Landry, A.</th>
<th>Smith</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Leer</td>
<td>Stinson</td>
</tr>
<tr>
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<td>Thistlewaite</td>
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<td>Wall</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Miller</td>
<td>Warren</td>
</tr>
<tr>
<td>Drew</td>
<td>Pugh</td>
<td>Weiss</td>
</tr>
<tr>
<td>Elkins</td>
<td>Segura</td>
<td>Winchester</td>
</tr>
<tr>
<td>Jack</td>
<td>Silverberg</td>
<td>Womack</td>
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<tr>
<td>Lambert</td>
<td>Slay</td>
<td></td>
</tr>
<tr>
<td>Total—27.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins moved the adoption of amendment No. 4.

Delegates—

<table>
<thead>
<tr>
<th>Bel</th>
<th>Goldsman</th>
<th>Lowe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dennery</td>
<td>Guarisco</td>
<td>Newton</td>
</tr>
<tr>
<td>Dennis</td>
<td>Hardee</td>
<td>O'Neil</td>
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<tr>
<td>Deshotels</td>
<td>Hayes</td>
<td>Roemer</td>
</tr>
<tr>
<td>Drew</td>
<td>Haynes</td>
<td>Roy</td>
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<tr>
<td>Elkins</td>
<td>Jackson, A.</td>
<td>Singletary</td>
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<tr>
<td>Jack</td>
<td>Jackson, J.</td>
<td>Slag</td>
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<tr>
<td>Lambert</td>
<td>Jenkins</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Landry, E.</td>
<td>De Blieux</td>
<td>Tapper</td>
</tr>
<tr>
<td>Total—26.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:
Delegate Kean objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**
The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>YEAS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aker</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arnette</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Avant</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Berry</td>
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</tr>
<tr>
<td>Blair</td>
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</tr>
<tr>
<td>Bollinger</td>
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</tr>
<tr>
<td>Carmouche</td>
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<td></td>
</tr>
<tr>
<td>De Blieux</td>
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<td></td>
</tr>
<tr>
<td>Dunlap</td>
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</tr>
<tr>
<td>Duval</td>
<td></td>
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<tr>
<td>Flory</td>
<td></td>
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<tr>
<td>Fulco</td>
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<tr>
<td>Gauthier</td>
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<tr>
<td>Gin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goldman</td>
<td></td>
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<tr>
<td><strong>Total—45.</strong></td>
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<tr>
<td><strong>NAYS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D’Gerolamo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Derbes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deshotel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Edwards</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fayard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fontenot</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fowler</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Giarrusso</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gravel</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grier</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heine</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hernandez</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Juneau</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kean</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Keplin</td>
<td></td>
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</tr>
<tr>
<td>LeBlanc</td>
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<td>LeBlanc</td>
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<tr>
<td>Lennon</td>
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<tr>
<td>Lowe</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total—51.</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**NOT VOTING**
- Delegates—Mr. Chairman  
  - Bel  
  - Dennery  
  - Dennis  
  - Drew  
  - Elkis  
  - Jack  
  - Lambert  
  **Total—24.**

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**
Amendment proposed by Delegate Arnette to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 11 in Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention October 2, 1973, on line 3, after the word and punctuation “preservation,” delete the remainder of the line and on line 4 at the beginning of the line delete the words and punctuation “is declared to be a public purpose;” and insert in lieu thereof the following: “if for a public purpose, and subject to due process of law;”

Delegate Arnette moved the adoption of the amendment.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**
Amendment proposed by Delegate De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 11, line 11, in Floor Amendment No. 1 proposed by Delegate Derbes, et al, and adopted by the convention on October 2, 1973, on line 9, immediately after the word and punctuation “structures,” delete the remainder of the line and delete line 10 in its entirety.

Delegate De Blieux moved the adoption of the amendment.
Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
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<td>Alario</td>
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<td>Mr. Chairman</td>
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<td>Heine</td>
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<td>Jack</td>
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</table>

And the amendment was rejected.

Delegate Derbes moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Deshotels sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Deshotels to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 11, line 11, in Floor Amendment No. 1 proposed by Delegate Derbes, et al., and adopted by the convention

October 2, 1973, on line 2, immediately after the number and punctuation "19," and before the word "governmental," delete the word " Local" and insert in lieu thereof the following: "Subject to uniform legislatively established procedures, local"

Delegate Deshotels moved the adoption of the amendment.

Delegate Alexander objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
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<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Alario</td>
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<td>Cowen</td>
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<td>Derbes</td>
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<tr>
<td>Deshotels</td>
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<tr>
<td>Total</td>
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</tbody>
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**NAYS**

<table>
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<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Alexander</td>
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<td>Mr. Chairman</td>
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<td>Guarisco</td>
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<td>Haynes</td>
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</table>

And the amendment was adopted.

Delegate Deshotels moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Arnette to Committee Proposal No. 17 by Delegate Perez, et al.

Amendment reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 11, line 11, in Floor Amendment No. 1 proposed by
Delegate Derbes, et al., and adopted by the convention on October 2, 1973, on line 3, after the word and punctuation "preservation," delete the remainder of the line and on line 4 at the beginning of the line delete the words and punctuation "is declared to be a public purpose;" and insert in lieu thereof the following: "subject to due process of law;"

Point of Order
Delegate Kean raised a point of order and sought a ruling of the chair, as to whether the amendment was out of order, as having been previously considered.

Ruling of the Chair
The Chair declined to rule the amendment out of order at this time, and put the question to the Convention under the rules.

The question was put to declare the amendments in order.

By a vote of 46 yeas and 50 nays the Convention refused to declare the amendment in order.

Delegate Jenkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Jenkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 11, line 11, in Floor Amendment No. 1, proposed by Delegate Deshotels to the Floor Amendment No. 1 proposed by Delegate Derbes, and adopted by the convention on October 2, 1973, at the end of line 1 of the Deshotels' Amendment after the word "procedures" and before the comma "", insert the following: "and the local charter"

Delegate Jenkins moved the adoption of the amendment.
Delegate Kean objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Abraham
Aeriker
Arnette
Avant
Berry
Bollinger
Champagne
D'Gerolamo
Dunlap
Duval
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Duval
Duval
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And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Derbes, the Convention altered the Order of Business to take up Committee Proposal No. 17, Section 20 at this time.

**Section 20. Zoning**

Section 20. Local governmental subdivisions may enact land use regulations and zoning ordinances and create and classify therein residential, commercial, industrial, and other districts, and may regulate the preservation of the character of buildings, monuments, structures, and buildings and areas of historical importance. Local governmental subdivisions may create airport zones and regulate the heights of buildings, structures, and objects of natural growth in areas surrounding airports.

Read.

The Chairman announced that action was deferred on Committee Proposal No. 17, Section 20, on Saturday, September 29, 1973, which was taken up and acted upon as follows:

Delegate Derbes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Derbes to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 11 delete lines 26 through 32, both inclusive, in their entirety and on page 12 delete lines 1 through 3, both inclusive, in their entirety

Delegate Derbes moved the adoption of the amendment.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate—

Mr. Chairman

Abraham

Aubrey

Aldrich

Alexander

Anzalone

Annette

Asseff

Badeaux

Bergerson

Berry

Blair

Bollinger

Bren

Brown

Burns

Burson

Cannon

Carmouche

Casey

Champagne

Chatelain

Cherard

Comar

Conine

Conroy

Corne

Cowen

D’Geralamo

De Blieux

Dennis

Derbes

Deshotels

Duval

Flory

Fontenot

Fowler

Fulco

Gauthier

Giarreusso

Ginn

Goldman

Gravel

Grier

Guarisco

Hardee

Hayes

Haynes

Hernandez

Jackson, A.

**NAY**

Delegate—

Jenkins

Juneau

Kean

Kelly

Kilbourne

Kipkathie

Landrum

Landry, E. J.

Lanier

Leithman

Lamoreaux

Lowe

Mauberret

Miller

Mire

Newton

Jackson, J.

Nunez

O’Neill

Perez

Perkins

Planhard

Rachal

Rayburn

Reeves

Riche

Robinson

Roemer

Roy

Sandoz

Schmitt

Shannon

Singleton

Sonist

Stagg

Stephenson

Stovall

Sutherland

Taper

Thistlethwaite

Thompson

Tobias

Toomy

Velazquez

Vick

Warren

Wattigny

Willis

Wheham

Zervigon

**NOT VOTING**

Delegate—

Bennett

LeBlanc

Leigh

McDaniel

Martin

Munson

Ouazo

Pugh

Segura

Silverberg

Slay

Smith

Stinson

Toca

Ulo

Vesich

Wall

Weiss

Winchester

Womack

And the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Section 23. Intergovernmental Cooperation**

Section 23. (A) Any political subdivision may exercise and perform any of its authorized powers and functions, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, the United States or agencies thereof, except as the legislature shall provide otherwise by law.

(B) Except as otherwise provided in this constitution, the legislature shall not require political subdivisions to exercise powers or perform functions jointly or in cooperation with any other political subdivision, nor shall the legislature require consolidation of governmental functions of local governmental subdivisions. However, the legislature may enact laws authorizing the consolidation of political subdivisions or the joint exercise of powers and performance of functions by political subdivisions, but no such law shall become effective until submitted to and approved by two-thirds of the electorate in each of the political subdivisions affected thereby, who vote in an election called for that purpose.

Read.

The chairman announced that the Convention deferred action on Committee Proposal No. 17, Section 23, on Saturday, September 29, 1973, which was taken up and acted upon as follows:

Delegate Flory sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 12, line 27, at the beginning of the line, before the words “the United” add the word “with”

Delegate Flory moved the adoption of the amendment.

Delegate Casey objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Aertker | Dunlap Miler
---|---
Alario | Duval Mire
Alexander | Fayard Newton
Assef | Florey O'Neil
Avant | Fontenot Perez
Badeaux | Fowler Planchar
Bergeron | Fulco Rachal
Berry | Gauthier Rayburn
Blair | Girardino Reeves
Bollerger | Glann Riecke
Brien | Gravel Robinson
Brown | Guarisco Roemer
Burns | Hardee Stasino
Burson | Hayes Sandos
Cannon | Hennen Shannan
Carmouche | Jenkins Singletary
Champagne | Juneau Soniat
Chehardy | Keen Stephenson
Conmar | Kelly Thistlethwaite
Conino | Kilbourne Thompson
Corne | Kilpatrick Toomy
Coxen | Landry, E. J. Velazquez
D'Gerolamo | Laniert Warren
De Blieue | Leithman Wattigny
Derbes | Lowe Wisham
Deshotel | Maubert Zervigon

Total—78.

**NAYS**

Delegates—

Abraham | Dennis Schmitt
Anzalone | Goldman Stagg
Arnette | Grier Sutherland
Casey | Lennox Tate
Chatelain | Lunez Tobias
Conroy | Perkins Willis

Total—18.

**NOT VOTING**

Delegates—

Mr. Chairman | Landrum Smith
Bel | Landry, A. Stinson
Dennehy | LeBlu LeVoval
Drew | Leigh Tapper
Edwards | McDaniel Toca
Elkins | Martin Ullo
Haynes | Munson Versich
Heine | Ours Pich
Jack | Pugh Wall
Jackson, A. | Segura Weiss
Jackson, J. | Silverberg Winchester
Lambert | Slay Womack

Total—36.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 12, delete Floor Amendments No. 1 through No. 4 to Section 23 proposed by Delegate Burson and adopted by the Convention on September 29, 1973.
And the amendments were adopted.

Delegate Burson moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez moved the previous question on the entire subject matter.

Delegate Tate objected.

The vote was 46 yea and 46 nay's, the Chair voted "nay" to break the tie, and the Convention refused to Order the previous question on the entire subject matter at this time.

Delegate Tate sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Tate to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 12, delete lines 29 through 32, both inclusive, in their entirety including all floor amendments thereto and on page 13, delete lines 1 through 8, both inclusive, in their entirety including all floor amendments thereto.

AMENDMENT No. 2—

On page 13, between lines 8 and 9, delete Floor Amendment No. 2 proposed by Delegate Burson and adopted by the Convention on October 2, 1973.

On motion of Delegate Tate the amendment was withdrawn.

Delegate O'Neill sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates O'Neill, Toomy, Perez, Lanier and Chatelain to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 12, line 30, immediately after the word "require" and before the word "to" delete the words "political subdivisions" and insert in lieu thereof "local governmental subdivisions".

AMENDMENT No. 2—

On page 12, line 32, immediately after the word "other" and before the word "nor" delete the words "political subdivisions" and insert in lieu thereof the words "local governmental subdivision".

AMENDMENT No. 3—

On page 13 in line 3 and again in line 5 and again in line 7 delete the words "political subdivisions" and insert in lieu thereof the words "local governmental subdivisions".

On motion of Delegate O'Neill the amendments were adopted.

Delegate O'Neill moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 13, line 6, after the words "approved by" and be-fore the word "of" delete the word "two-thirds" and insert in lieu thereof the words "a majority".

Delegate Gravel moved the adoption of the amendment.

Delegate Nunez objected.

A record vote was asked for and ordered by the Convention.

The roll was called with the following result:

ROLL CALL

YEAS

Delegate—

Aerkir
Arinette
Avant
Berry
De Blieux
Dennis
Dunlap
Duval
Flory
Total—26.

Delegates—

Abraham
Alario
Anzalone
Asseff
Badeaux
Bergeron
Bollinger
Brien
Burson
Carmouflage
Carey
Champlage
Chatelain
Chehardy
Comar
Conino
Conroy
Conne
Cowen
D'Gerolamo
Total—59.

NAYS

Delegates—

Aerkir
Arinette
Avant
Berry
De Blieux
Dennis
Dunlap
Duval
Flory
Total—26.

Delegates—

Aerkir
Arinette
Avant
Berry
De Blieux
Dennis
Dunlap
Duval
Flory
Total—26.

NAYS

Delegates—

Abraham
Alario
Anzalone
Asseff
Badeaux
Bergeron
Bollinger
Brien
Burson
Carmouflage
Carey
Champlage
Chatelain
Chehardy
Comar
Conino
Conroy
Conne
Cowen
D'Gerolamo
Total—59.

NAYS

Delegates—

Abraham
Alario
Anzalone
Asseff
Badeaux
Bergeron
Bollinger
Brien
Burson
Carmouflage
Carey
Champlage
Chatelain
Chehardy
Comar
Conino
Conroy
Conne
Cowen
D'Gerolamo
Total—59.

NOT VOTING

Delegates—

Mr. Chairman
Alexander
Bel
Brown
Burns
Cannon
Dennef
Derbes
Drew
Edwards
Elkins
 Fowler
Haynes
Heine
Jack
Total—47.

And the amendment was rejected.

Delegate Alario moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 13 between lines 8 and 9 delete Floor Amendment

And the amendment was rejected.

Delegate Alario moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 13 between lines 8 and 9 delete Floor Amendment
58th Days Proceedings—October 2, 1973

No. 2 proposed by Delegate Burson and adopted by the Convention October 2, 1973.

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 17, Section 23, was read, as amended.

Delegate Perez moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fayard, Planchard</td>
<td>Foynet, Reeves</td>
</tr>
<tr>
<td>Abraham</td>
<td>Fontenot, Riecke</td>
<td>Gauthier, Robinson</td>
</tr>
<tr>
<td>Aetker</td>
<td>Glarruso, Roemer</td>
<td>Alario, Sandoz</td>
</tr>
<tr>
<td>Arline</td>
<td>Grier, Schmitt</td>
<td>Anzalone, Stagg</td>
</tr>
<tr>
<td>Arnette</td>
<td>Hardee, Singleteray</td>
<td>Badeaux, Stagg</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Hayes, Stagg</td>
<td>Bollinger, Thompson</td>
</tr>
<tr>
<td>Burson</td>
<td>Hernandez, Stephenson</td>
<td>Carmouche, Sutherland</td>
</tr>
<tr>
<td>Kean</td>
<td>Landry, E. J.</td>
<td>Casey, Thistlethwaite</td>
</tr>
<tr>
<td>Conroy</td>
<td>Lanier, Tooney</td>
<td>Conino, Toomy</td>
</tr>
<tr>
<td>Corne</td>
<td>Lennox, Willis</td>
<td>Derbes, Zervigon</td>
</tr>
<tr>
<td>Total—50.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
<td>Kilbourne, Segura</td>
</tr>
<tr>
<td>Bel</td>
<td>Kilpatrick, Shannon</td>
</tr>
<tr>
<td>Blair</td>
<td>Lambert, Silverberg</td>
</tr>
<tr>
<td>Brown</td>
<td>Landrum, Slay</td>
</tr>
<tr>
<td>Burns</td>
<td>Landry, A., Smith</td>
</tr>
<tr>
<td>Cannon</td>
<td>Leigh, Slinken</td>
</tr>
<tr>
<td>Denney</td>
<td>McDaniel, Tapper</td>
</tr>
<tr>
<td>Drew</td>
<td>Martin, Tate</td>
</tr>
<tr>
<td>Edwards</td>
<td>Mauberret, Ulo</td>
</tr>
<tr>
<td>Elkins</td>
<td>Miller, Verchot</td>
</tr>
<tr>
<td>Fowler</td>
<td>Munson, Wall</td>
</tr>
<tr>
<td>Haynes</td>
<td>O'Neill, Weiss</td>
</tr>
<tr>
<td>Heine</td>
<td>Ouso, Winchester</td>
</tr>
<tr>
<td>Jack</td>
<td>Pugh, Whisman</td>
</tr>
<tr>
<td>Jackson, A.</td>
<td>Rayburn, Womack</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>Total—46.</td>
</tr>
</tbody>
</table>

Failed to pass.

Delegate Kean moved to reconsider the vote by which the Section failed to pass, on the next Convention day.
The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Leaves of Absence**
Delegate Tate—1 day.
Delegate Weiss—1½ days.
Delegate Bel—½ day.
Delegate A. Landry—1 day.
Delegate Jack—2 days.
Delegate Smith—2 days.
Delegate Stinson—1 day.
Delegate Dennery—1 day.

**Adjournment**
Delegate Abraham moved that the Convention do now adjourn until Wednesday, October 3, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.
And Chairman Henry declared the Convention adjourned to Wednesday, October 3, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY  
Secretary

DAVID R. POYNTER  
Chief Clerk
Prayer

Prayer was offered by Delegate Burns.

Pledge of Allegiance

Delegate Sutherland led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Thistlethwaite, the reading of the Journal was dispensed with.

On motion of Delegate Thistlethwaite, the Journal of yesterday was adopted.

Morning Hour

Reconsideration

Section 23. Intergovernmental Cooperation

Section 23. (A) Any political subdivision may exercise and perform any of its authorized powers and functions, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, the United States or agencies thereof, except as the legislature shall provide otherwise by law.

(B) Except as otherwise provided in this constitution, the legislature shall not require political subdivisions to exercise powers or perform functions jointly or in cooperation with any other political subdivision, nor shall the legislature require consolidation of governmental functions of local government subdivisions. However, the legislature may enact laws authorizing the consolidation of political subdivisions or the joint exercise of powers and performance of functions by political subdivisions, but no such law shall become effective until submitted to and approved by two-thirds of the electors in each of the political subdivisions affected thereby, who vote in an election called for that purpose.

Read.

On motion of Delegate Perez the vote by which the above Section failed to pass on yesterday was reconsidered.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Convention on Local and Parochial Government, and Delegates Burson, Cannon, Chalenlain, Conino, D’Gerolamo, Fowler, Giarussi, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo and Zervigon:

A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 17, when it adjourned on Tuesday, October 2, 1973, which was taken up and acted upon as follows:

Section 25. Appropriation to Political Subdivisions

Section 25. When the legislature appropriates funds to one or more political subdivisions and the legislature does not specify the purposes for which such funds shall be expended, or the amounts to be expended therefor, the expenditure of such funds shall be determined solely by the governing authority of the political subdivision or political subdivisions to which the funds are appropriated. The legislature may require a report concerning the allocation and expenditure of such funds.

Read.
Delegate Burson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, at the beginning of line 6, delete the words and punctuation "or the amounts to be expended therefor,"

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14 delete lines 2 through 11, both inclusive, in their entirety.

Delegate Gravel moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willis</td>
</tr>
<tr>
<td>-------</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zervigon</th>
</tr>
</thead>
</table>

NOT VOTING

Delegates—

Akerter | Alexander | Anzalone | Arnette | Bel | Berry | Carmouche | Drew | Edwards | Fayard |

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, line 17, after the word and punctuation "question," delete the remainder of the line and delete lines 18 through 20, both inclusive, in their entirety and on line 21 at the beginning of the line delete the words and punctuation "home rule charter,"

Delegate Champagne moved the adoption of the amendment.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willis</td>
</tr>
<tr>
<td>-------</td>
</tr>
</tbody>
</table>

Not VOTING

Delegates—

Burson | Casey | Conroy | Derbes | Deshotels | Elkins

And the amendment was adopted.

Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 25. Uniform Procedure for Calling, Conducting, and Canvassing the Returns of Certain Special Elections

Section 25. When any election is required to be held in any political subdivision pursuant to the provisions of this constitution which require submission to the electors of any proposition or question, such as the change of parish lines, change of location of parish seat, levying of taxes, issuance of bonds or incurring of other debt obligations, the assumption of debt, referendum, recall, or the adoption of a home rule charter, the election shall be called, conducted, and the returns thereof canvassed, in accordance with the law pertaining to elections for incurring bonded indebtedness and special taxes relative to local finance, as the same now exists or may hereafter be amended, or as may be otherwise provided by the legislature.

Read.

Delegate Champagne sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Champagne and Velazquez to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, line 17, after the word and punctuation "question," delete the remainder of the line and delete lines 18 through 20, both inclusive, in their entirety and on line 21 at the beginning of the line delete the words and punctuation "home rule charter,"

Delegate Champagne moved the adoption of the amendment.

A record vote was asked for and ordered by the Convention.
59th Days Proceedings—October 3, 1973

Leithman
Lennox
Lowe
Martin
Mauberret
Miller
Mire
Munson
Newton
Nunez
O'Neill
Perez
Pichard
Rachel
Rayburn

Reeves
Robinson
Roemer
Roy
Sandoz
Schmitt
Shannon
Singletary
Slay
Soniat
Stagg
Stephenson
Stovall
Stouffer
Sutherland
Taper
Tate
Thistlethwaite
Thompson
Tobias
Tommy
Uilo
Velazquez
Vesich
Vick
Warren
Wattignay
Wills
Winchester
Zervigon
Tate

NAYS

Delegates—Total—6.

Delegates—NOT VOTING

Delegate Tobias.

Total—1.

Delegates—NOT VOTING

And the amendment was adopted.

Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 14, line 23, at the beginning of the line, before the word "law" insert the words "procedures established by"

On motion of Delegate Gravel the amendment was adopted,

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 17, Section 26, was read as amended.

Delegate Perez moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—Mr. Chairman

Abraham
Aerker
Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Bergeron

Blair
Bollinger
Brien
Burns
Burson
Cannon
Casey
Champagne
Chatelain
Chebardy

Conino
Conroy
Corne
Cown
D'Gerolamo
De Blieux
Dennery
Dennis
Derbes
Deshotels

Dunlap
Elkins
Flory
Fontenot
Fowler
Fulco
Gauthier
Garrusso
Ginn
Goldman
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Klipper

Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlou
Leigh
Leithman
Lennox
Lowe
Martin
Mauberret
Miller
Mire
Monson
Newton
Nunez
O'Neill
Perez
Planchar
Stovall
Sutherland
Zervigon

Sandoz
Schmitt
Shannon
Singletary
Slay
Soniat
Stagg
Stephenson
Stovall
Sutherland
Taper
Tate
Thistlethwaite
Thompson
Toca
Tommy
Uilo
Velazquez
Vesich
Vick
Warren
Wattignay
Wills
Winchester
Zervigon

NAYS

Delegate Tobias.

Total—1.

Delegates—NOT VOTING

And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 27. Acquisition of Property

Section 27. Subject to such restrictions as the legislature may provide by general law, political subdivisions may acquire property for any public purpose, including but not limited to acquisition by purchase, donation, expropriation, or exchange.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 14, line 28, after "Section 27," and before the words "to such" delete the word "Subject" and insert in lieu thereof the following:

"Subject to and not inconsistent with any provision of this constitution and subject"

Delegate Gravel moved the adoption of the amendment.

Delegate Lanier objected.

By a vote of 91 yeas and 12 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate Roy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, line 30, immediately after the word "purpose" and before the comma "," insert the following: "within the scope of their authority"

Delegate Roy moved the adoption of the amendment.
Delegate Kean objected.

By a vote of 43 and 56 nays the amendment was rejected.
Delegate Kean moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, Section 27, was read, as amended.
Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Anzalone
Asseff
Avant
Badiaux
Bergeron
Blair
Bollinger
Brien
Brown
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Comino
Conroy
Corne
Cowen
D'Geralamo
De Bieulex
Dennery
Dennis
Derbes
Deshotels
Dunlap
Duval
Elkins
Flory
Total—105.

NAYS

Delegates—
Arnette
Jenkins
Total—6.

NOT VOTING

Delegates—
Alexander
Bel
Berry
Burns

574
59th Days Proceedings—October 3, 1973

Segura
Shannon
Singletary
Slay
Soniat
Stagg
Stephenson
Stinson
Stovall
Total—108.

Delegates—
Jenkins
Total—2.

Delegates—
Alexander
Bel
Berry
Derbes
Drew
Edwards
Fayard
Haynes
Total—22.

And the Chair declared that the above Section was passed.

Delegate Keen moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Delegate Pugh offered the following explanation of the vote with respect to the question of the adoption of Section 28 of Committee Proposal No. 17:

“I have voted against this Section based upon my opinion that the subject matter thereof is purely legislative in nature.”

Section 29. Prescription Against State, School Districts, and Political Subdivisions

Section 29. Prescription shall not run against the state, school districts, or against any political subdivision in any civil matter, unless otherwise provided in this constitution or expressly by general law.

Read.

Delegate Arnette sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Arnette to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 15, line 8, immediately after the number and punctuation “29,” and before the word “shall” delete the word “Prescription” and insert in lieu thereof the words “Acquisitive prescription”.

Delegate Arnette moved the adoption of the amendment.

Delegate Conroy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker
Arnette
Avant
Bergeron
Blair
Brien
Brown
Burns
Cannon
Casey
Champagne
Chehardy

NAYS

Delegates—
Comar
Conino
D’Gerolamo
De Bieaux
Dennery
Dennis
Deshotels
Dunlap
Flory
Fontenot
Fowler
Fulco
Gauthier
Ginn
Goldman
Gravel
Guarisco
Hardie
Hayes
Jackson, A.
Jenkins
Kelly
Total—76.

Delegates—
Abraham
Alario
Asseff
Badeaux
Bollinger
Burson
Carmouche
Chatelain
Conroy
Corne
Cowen
Total—32.

Delegates—
Mr. Chairman
Alexander
Anzalone
Bel
Berry
Derbes
Drew
Edwards
Haynes
Jack
Jackson, J.
Kilbourne
McDaniel
Mire
Ours
Perkins
Fayard
Hays
Jack
Jackson, J.
Kilbourne
McDaniel
Mire
Ours
Perkins
Racal
Riecke
Silverberg
Smith
Wall
Wees
Wisdom

NAYS

Delegates—
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
LeBlanc
Leigh
Leithman
Lennox
Lowe
Martin
Maubernet
Miller
Monson
Nunez
O’Neill
Planchard
Pugh
Rayburn
Reeves
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Singletary
Stagg
Stinson
Stovall
Sutlerland
Tapper
Thistledthwaite
Tocka
Wattigny
Womack
Zervigon

Delegates—

Delegates—

NOT VOTING

NOT VOTING

Delegates—

Delegates—

And the amendment was adopted.

Delegate Arnette moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lanier sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Newton and Planchard to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 15 delete lines 6 through 11, both inclusive, in their entirety, including Convention Floor Amendment No. 1 proposed by Mr. Arnette and adopted by the Convention on October 3, and insert in lieu thereof the following:

“Section 29. Prescription shall not run against the state in any civil matter, unless otherwise provided in this constitution or expressly by law.”

Delegate Newton moved the adoption of the amendment.

Delegate Tocca objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:
YEAS

Abraham
Aerker
Alario
Anzalone
Ant
Badeaux
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champlune
Chateiain
Chehardy
Comar
Conin
Conroy
Corne
Cowan
DDelolamo
De Blieux
Denner
Dennis
Derbes
Deshotel
Dunlap
Duval
Elkins
Flory
Fontenot
Fowler

Fulco
Gauthier
Girard
Givens
Goldman
Gravel
Grier
Guarisco
Hardie
Hayes
Heine
Hernandez
Jackson, A.
Juneau
Kean
Kelly
Kibourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Leithan
Lowe
Martin
Maubretet
Mansart
Miller
Mire
Newton
Nunez
O'Neill
Perez
Perkins

Planchard
Pugh
Rachal
Rayburn
Reeves
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singletary
Slay
Soliat
Stephenson
Stovall
Sutherland
Tapper
Tate
Thompson
Toibis
Toca
Tommy
Ulio
Velasquez
Vesich
Vick
Wall
Warren
Wattigny
Willis
Winchester
Zervigen

NAYS

Arnette
Assaf

Jenkins
Lennox
Stagg
Slinson

NOT VOTING

Mr. Chairman
Alexander
Bel
Berry
Brew
Edwards
Fayard

Haynes
Jack
Jackson, J.
McDaniel
Monson
Ourso
Riecke

Silverberg
Smith
Thistlethwaite
Weiss
Wisham
Womack

And the amendment was adopted.

Delegate Newton moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Shannon moved the previous on the entire subject matter.

Delegate Duval objected.

By a vote of 18 yeas and 52 nays the Convention refused to order the previous question at this time.

Delegate Pugh sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Pugh and Lennox to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1
On page 15, line 11, after the partial word "stition" and before the word "by" delete the words "or expressly" and insert in lieu thereof a comma ".,"

AMENDMENT No. 2
On page 15, line 11, after the word "law" change the period "." to a comma "," and add the following:
"or by contract with the state."

AMENDMENT No. 3
Strike out Convention Floor amendment No. 1 proposed by Delegate Newton and Planchard and adopted by the Convention on October 2, 1973, and restore Section 28 as printed and previously amended.

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Miller sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Miller to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1
On page 15, between lines 11 and 12 and following the language added by Convention Floor Amendment No. 1 proposed by Mr. Newton and adopted by the Convention on October 2, 1973, insert the following:

"Neither the lands nor the mineral rights of the state, its agencies, school districts, and political subdivisions shall be subject to loss through prescription. The mineral rights on all property transferred or sold by the state, its agencies, school districts, and political subdivisions shall be reserved except where the owner or other person having the right to redeem may buy or redeem property sold or adjudicated to the state for taxes. The legislature may provide by law for the leasing of such lands for minerals and other purposes subject to the provisions of this constitution."

On motion of Delegate Miller the amendment was withdrawn.

Delegate Miller sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Miller to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1
On page 15, between lines 11 and 12 and following the language added by Convention Floor Amendment No. 1 proposed by Mr. Newton and adopted by the Convention on October 2, 1973, insert the following:

"Neither the lands nor the mineral rights of the state, its agencies, school districts, and political subdivisions shall be subject to loss through prescription. The mineral rights on all property transferred or sold by the state, its agencies, school districts, and political subdivisions shall be reserved except where the owner or other person having the right to redeem may buy or redeem property sold or adjudicated to the state for taxes. The legislature may provide by law for the leasing of such lands for minerals and other purposes subject to the provisions of this constitution."

On motion of Delegate Miller, the amendment was withdrawn.

Passage

Committee Proposal No. 17, Section 29, was read, as amended.

Delegate Kean moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aerker
Alario
Anzalone
Arnette
Assaf

Planchard
Pugh
Rachal
Rayburn
Reeves
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singletary
Slay
Soliat
Stephenson
Stovall
Sutherland
Tapper
Tate
Thompson
Toibis
Toca
Tommy
Ulio
Velasquez
Vesich
Vick
Wall
Warren
Wattigny
Willis
Winchester
Zervigen

Pere

Lennox

Stagg
Slinson

Silverberg
Smith
Thistlethwaite
Weiss
Wisham
Womack

Riecke

576
Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Fulco</td>
</tr>
<tr>
<td>Alario</td>
<td>Gauthier</td>
</tr>
<tr>
<td>Arnette</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Avant</td>
<td>Ginn</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Goldman</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Gravel</td>
</tr>
<tr>
<td>Blair</td>
<td>Guarsico</td>
</tr>
<tr>
<td>Brien</td>
<td>Hardee</td>
</tr>
<tr>
<td>Burns</td>
<td>Hayes</td>
</tr>
<tr>
<td>Burson</td>
<td>Hayes, A.</td>
</tr>
<tr>
<td>Cannon</td>
<td>January</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Juneau</td>
</tr>
<tr>
<td>Casey</td>
<td>Juneau</td>
</tr>
<tr>
<td>Champagne</td>
<td>Juneau</td>
</tr>
<tr>
<td>Chateain</td>
<td>Juneau</td>
</tr>
<tr>
<td>Chehardt</td>
<td>Juneau</td>
</tr>
<tr>
<td>Comar</td>
<td>Juneau</td>
</tr>
<tr>
<td>Conino</td>
<td>Juneau</td>
</tr>
<tr>
<td>Conroy</td>
<td>Juneau</td>
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<tr>
<td>Corne</td>
<td>Juneau</td>
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<tr>
<td>Cowen</td>
<td>Juneau</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Juneau</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Juneau</td>
</tr>
<tr>
<td>Denenery</td>
<td>Juneau</td>
</tr>
<tr>
<td>Derbes</td>
<td>Juneau</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Juneau</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Juneau</td>
</tr>
<tr>
<td>Duval</td>
<td>Juneau</td>
</tr>
<tr>
<td>Elkins</td>
<td>Juneau</td>
</tr>
<tr>
<td>Ellison</td>
<td>Juneau</td>
</tr>
<tr>
<td>Flory</td>
<td>Juneau</td>
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<tr>
<td>Fowler</td>
<td>Juneau</td>
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<tr>
<td>Fulco</td>
<td>Juneau</td>
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<td>Ginn</td>
<td>Juneau</td>
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<tr>
<td>Goldman</td>
<td>Juneau</td>
</tr>
<tr>
<td>Gravel</td>
<td>Juneau</td>
</tr>
<tr>
<td>Total</td>
<td>83.</td>
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NAYS

<table>
<thead>
<tr>
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<th></th>
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<tbody>
<tr>
<td>Anzalone</td>
<td>Hernandez</td>
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<tr>
<td>Asseff</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Kean</td>
</tr>
<tr>
<td>Cannon</td>
<td>Kelly</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Lennox</td>
</tr>
<tr>
<td>Duval</td>
<td>Miller</td>
</tr>
<tr>
<td>Heine</td>
<td>Nunez</td>
</tr>
<tr>
<td>Total</td>
<td>21.</td>
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</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
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</tr>
<tr>
<td>Bel</td>
<td>Giarrusso</td>
</tr>
<tr>
<td>Berry</td>
<td>Jack</td>
</tr>
<tr>
<td>Brown</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Dennis</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Drew</td>
<td>Munson</td>
</tr>
<tr>
<td>Edwards</td>
<td>Riecke</td>
</tr>
<tr>
<td>Total</td>
<td>24.</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was passed.

Delegate Kean moved to reconsider the vote by which the above Section was passed and, on his own motion, the motion to reconsider was laid on the table.

Section 30. Supremacy of Constitution

Section 30. The provisions of this Constitution shall be paramount and neither the legislature, nor any political subdivision, shall enact any laws or ordinances in conflict therewith.

Read.

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 15, delete lines 12 through 16, both inclusive, in their entirety.

Delegate De Blieux moved the adoption of the amendment.
quire consolidation of governmental functions of local governmental subdivisions. However, the legislature may enact laws authorizing the consolidation of political subdivisions of the joint exercise of powers and performance of functions by political subdivisions, but no such law shall become effective until submitted to and approved by two-thirds of the electors in each of the political subdivisions affected thereby, who vote in an election called for that purpose.

Read.

Delegate Lanier sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Chatelain and Lanier to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 12 on line 23 after "Section 23," and before the word "Any" delete "(A)"

**AMENDMENT No. 2**

On page 12 delete lines 29 through 32, both inclusive, in their entirety and delete all amendments adopted thereto

**AMENDMENT No. 3**

On page 13 delete lines 1 through 8, both inclusive, in their entirety, and delete all amendments adopted thereto

Delegate Lanier moved the adoption of the amendment.

Delegate Toomy objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alario</td>
<td></td>
<td></td>
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<tr>
<td>Anzalone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Arnette</td>
<td></td>
<td></td>
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<tr>
<td>Avant</td>
<td></td>
<td></td>
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<tr>
<td>Badeaux</td>
<td></td>
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<tr>
<td>Bergeron</td>
<td></td>
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<tr>
<td>Blair</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bollinger</td>
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<tr>
<td>Brien</td>
<td></td>
<td></td>
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<tr>
<td>Burns</td>
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<tr>
<td>Burson</td>
<td></td>
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<td>Cannon</td>
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<tr>
<td>Carmouche</td>
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<tr>
<td>Casey</td>
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<tr>
<td>Champagne</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chatelain</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chehardy</td>
<td></td>
<td></td>
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<tr>
<td>Comar</td>
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<tr>
<td>Conino</td>
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<tr>
<td>Conroy</td>
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<tr>
<td>Corne</td>
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<td>Cowen</td>
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<td>De Bieulex</td>
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</tr>
<tr>
<td>Dennis</td>
<td></td>
<td></td>
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<tr>
<td>Derbes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deshotels</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duval</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total—97.</td>
<td></td>
<td></td>
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</table>

<table>
<thead>
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<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asseff</td>
<td></td>
</tr>
<tr>
<td>Conroy</td>
<td></td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td></td>
</tr>
<tr>
<td>Aertker</td>
<td></td>
</tr>
<tr>
<td>Alexander</td>
<td></td>
</tr>
<tr>
<td>Bel</td>
<td></td>
</tr>
<tr>
<td>Berry</td>
<td></td>
</tr>
<tr>
<td>Brown</td>
<td></td>
</tr>
<tr>
<td>McDaniel</td>
<td></td>
</tr>
<tr>
<td>Munson</td>
<td></td>
</tr>
<tr>
<td>O'Neill</td>
<td></td>
</tr>
<tr>
<td>TOTAL—29.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haynes</td>
<td></td>
</tr>
<tr>
<td>Jack</td>
<td></td>
</tr>
<tr>
<td>Jackson, A.</td>
<td></td>
</tr>
<tr>
<td>Jackson, J.</td>
<td></td>
</tr>
<tr>
<td>Lamberti</td>
<td></td>
</tr>
<tr>
<td>McDaniel</td>
<td></td>
</tr>
<tr>
<td>Martin</td>
<td></td>
</tr>
<tr>
<td>O'Neill</td>
<td></td>
</tr>
<tr>
<td>TOTAL—29.</td>
<td></td>
</tr>
</tbody>
</table>
And the Chair declared that the above Section was passed.

Delegate Kean moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, below line 32, add the following section:

“Section 27.1. Expropriation and Appropriation by Political Subdivision; Right to Suspensory Appeal

Section 27.1. In all expropriations or appropriations, except for ports, levees, streets and highways, by political subdivisions, the owner of the property expropriated shall be entitled to a suspensory appeal.”

Delegate Pugh moved to withdraw the amendment.

Delegate Arnette objected.

By a vote of 71 yeas and 23 nays and the amendment was withdrawn.

Delegate Pugh sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 14, below line 32, add the following section:

“Section 27.1. Expropriation and Appropriation by Political Subdivision; Right to Suspensory Appeal

Section 27.1. In all expropriations or appropriations, except for ports, levees, courthouses, streets and highways, by political subdivisions, the owner of the property expropriated shall be entitled to a suspensory appeal.”

Delegate Pugh moved to withdraw the amendment.

Delegate Kean objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate—

Abraham—

Arnette—

Avant—

Bollinger—

Brien—

Cowan—

De Blieux—

Dennis—

Dunlap—

Flory—

Fulco—

Ginn—

Goldman—

Gravel—

Guarisco—

Hardee—

Jackson, A.—

Jenkins—

Kilbourne—

Kilpatrick—

Lambert—

LeBlanc—

Leithman—

Lennox—

Newton—

Pugh—

Rachal—

Roy—

Schmitt—

Shannon—

Singe—

Slay—

Soniat—

Stagg—

Stinson—

Stovall—

Tapper—

Thompson—

Velazquez—

Vick—

Wall—

Warren—

Wisham—

Total—43.

**NAYS**

Delegate—

Alario—

Anzalone—

Asseff—

Badeaux—

Bergeron—

Blair—

Brown—

Burns—

Burson—

Cannon—

Carmouche—

Casey—

Champagne—

Chatelain—

Chehardy—

Comar—

Conico—

Conroy—

Corne—

DGerolamo—

Dennis—

Derbes—

Duval—

Elkins—

Fayard—

Fowler—

Gauthier—

Giarrusso—

Grier—

Hayes—

Heine—

Juneau—

Keat—

Landry, A.—

Landry, E. J.—

Lanier—

Leigh—

Lowe—

Martin—

Miller—

Mire—

Nunez—

Ours—

Perez—

Perrins—

Planchard—

Rayburn—

Reeves—

Robinson—

Roemer—

Sandoz—

Stephenson—

Sutherland—

Tate—

Thistlethwaite—

Toibie—

Toca—

Toomy—

Tul—

Wattigny—

Willis—

Womack—

Zervigon—

Total—44.

**NOT VOTING**

Delegates—

Mr. Chairman—

Aertker—

Alexander—

Bel—

Berry—

Deshotels—

Drew—

Edwards—

Fontenot—

Hayes—

Hernandez—

Jack—

Jackson, J.—

Kelly—

Landrum—

McDaniel—

Mauberret—

Monson—

O'Neill—

Riecke—

Segura—

Silverberg—

Smith—

Weiss—

Winchester—

The amendment not having received a majority vote of the total membership of the Convention, necessary to pass a Section to a Proposal, failed to pass.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Perez action was deferred on Committee Proposal No. 17, Section 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43 at this time.

**Section 44. Levee Districts**

Section 44. (A) Levee districts as now organized and constituted shall continue to exist, except that:

1. The legislature may provide for the consolidation, division, or reorganization of existing levee districts or create new levee districts. However, the members of the boards of commissioners of such districts shall be appointed or elected from residents of such district;

2. Any levee district whose flood control responsibilities are limited to and which is situated entirely within the boundaries of one parish may be merged and consolidated into such parish under the terms and conditions and in the manner provided in Section 18 of this Article. This provision shall be self-operative;

3. (B) No action taken hereunder shall impair the obligation of any outstanding bonded indebtedness or of any other contract of such levee district.

*Read.*

Delegate Nunez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Nunez to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 23, line 25, after the word “of” and before the word “shall” delete the words “such districts” and insert in lieu thereof the words “each district”

AMENDMENT No. 2—

On page 23, line 27, after the word “district” change the semicolon “;” to a comma “,” and add the following:

“as provided by law;”
On motion of Delegate Nunez the amendments were adopted.

Delegate Nunez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Ginn sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Ginn to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 23, line 26, after the word “be” delete the word “appointed” and delete line 27 in its entirety and insert in lieu thereof “elected as provided by law.”

Delegate Ginn moved the adoption of the amendment.

Delegate Brown objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Grier</th>
<th>Perkins</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Hardee</td>
<td>Pugh</td>
</tr>
<tr>
<td></td>
<td>Hayes</td>
<td>Roemer</td>
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<tr>
<td></td>
<td>Haynes</td>
<td>Roy</td>
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<td></td>
<td>Hernandez</td>
<td>Schmitt</td>
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<tr>
<td></td>
<td>Jackson, A.</td>
<td>Singletary</td>
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<td></td>
<td>Jenkins</td>
<td>Slay</td>
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<tr>
<td></td>
<td>Kelly</td>
<td>Stagg</td>
</tr>
<tr>
<td></td>
<td>Kilpatrick</td>
<td>Sutherland</td>
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<tr>
<td></td>
<td>Lambert</td>
<td>Thompson</td>
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<tr>
<td></td>
<td>Landry, A.</td>
<td>Velazquez</td>
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<td>Landry, E. J.</td>
<td>Wall</td>
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<tr>
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<td>Lanier</td>
<td>Willis</td>
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<tr>
<td></td>
<td>Ourso</td>
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Total—44.

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<table>
<thead>
<tr>
<th>Delegates</th>
<th>Derbes</th>
<th>Planchard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Eikins</td>
<td>Rayburn</td>
</tr>
<tr>
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<td>Fowler</td>
<td>Reeves</td>
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<td></td>
<td>Fulco</td>
<td>Sandoz</td>
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<td></td>
<td>Gauthier</td>
<td>Segura</td>
</tr>
<tr>
<td></td>
<td>Giarrusso</td>
<td>Shannon</td>
</tr>
<tr>
<td></td>
<td>Gravel</td>
<td>Soniat</td>
</tr>
<tr>
<td></td>
<td>Guarisco</td>
<td>Stephenson</td>
</tr>
<tr>
<td></td>
<td>Heine</td>
<td>Stinson</td>
</tr>
<tr>
<td></td>
<td>Juneau</td>
<td>Stovall</td>
</tr>
<tr>
<td></td>
<td>Kean</td>
<td>Tate</td>
</tr>
<tr>
<td></td>
<td>Kilbourne</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td></td>
<td>Leigh</td>
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<td>Leithman</td>
<td>Toca</td>
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<tr>
<td></td>
<td>Lennox</td>
<td>Tooey</td>
</tr>
<tr>
<td></td>
<td>Lowe</td>
<td>Ulio</td>
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<tr>
<td></td>
<td>Martin</td>
<td>Vesich</td>
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<td></td>
<td>Mauberret</td>
<td>Vick</td>
</tr>
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<td></td>
<td>Miller</td>
<td>Watlington</td>
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<td></td>
<td>Newton</td>
<td>Winchester</td>
</tr>
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<td></td>
<td>Nunez</td>
<td>Womack</td>
</tr>
<tr>
<td></td>
<td>Peroe</td>
<td>Zervigon</td>
</tr>
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Total—66.

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<table>
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<tr>
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<th>Drew</th>
<th>Jackson, J.</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Edwards</td>
<td>Landrum</td>
</tr>
<tr>
<td></td>
<td>Fontenot</td>
<td>McDaniel</td>
</tr>
<tr>
<td></td>
<td>Jack</td>
<td>Mire</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Arnette moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 23, line 28, after the words “for the” and before the word “consolidation” insert the word and punctuation “abolition.”

Delegate De Blieux moved the adoption of the amendment.

Delegate Stinson objected.

By a vote of 40 yeas and 64 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 24, between lines 1 and 2, insert the following paragraph:

“(3) The authority of levee districts to expend its revenues shall be limited to drainage, flood control, hurricane flood protection and administrative expenses. Other powers and functions of levee districts now or hereafter authorized may be exercised provided that the revenues derived from such other functions are sufficient to pay the complete cost thereof. A local governmental subdivision, by ordinance adopted by it, may assume and merge into itself the authority to exercise such other powers and functions of a levee district exercised wholly within its boundaries. Thereupon, except for tax revenues, the local governmental subdivision shall succeed to and be vested with all of the rights, income, resources, jurisdiction, authority and powers of such levee district required for the exercise thereof.”

---

<table>
<thead>
<tr>
<th>Munson</th>
<th>Robinson</th>
<th>Warren</th>
</tr>
</thead>
<tbody>
<tr>
<td>O'Neill</td>
<td>Silverberg</td>
<td>Weiss</td>
</tr>
<tr>
<td>Rachal</td>
<td>Riecke</td>
<td>Tapper</td>
</tr>
</tbody>
</table>

Total—22.
Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other Orders of Business at this time.

COMMITTEE NOTICE

Delegate Munson Vice-chairman of the Committee on Natural Resources and the Environment, sent up the following notice:

The Committee on Natural Resources and the Environment will meet on Thursday, October 4, 1973, at 9:00 o'clock A.M. in the Senate Lounge and will consider the following agenda:

AGENDA

Consideration of the Committee's Proposal.

Respectfully submitted,

ROBERT MUNSON,
Vice-Chairman of the Committee on Natural Resources and the Environment

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE

Delegate Perez, chairman of the Committee on Local and Parochial Government, sent up the following notice:

The Committee on Local Government will meet on Thursday, October 4, 1973, at 11:00 o'clock in CR 206 and will consider the following agenda:

AGENDA

To meet jointly with the committee on Revenue, Finance and Taxation.

Respectfully submitted,

C. O. PEREZ,
Chairman of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leave of Absence

Delegate J. Jackson—1 day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, October 4, 1973, at 1:00 o'clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, October 4, 1973, at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

SIXTIETH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 1:00 o'clock P.M.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Brief
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Comar
Conino
Conroy
Corne
Cowan
D'Gerolamo
De Blieux
Dennery
Dennis
Deshotels
Dunlap
Duval
Elkins
Edwards
Fayard
Flory
Fontenot
Fowler
Fulco
Gauthier

Giarrusso
Glen
Goldman
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBleu
Leigh
Leitman
Lennox
Lowe
McDaniel
Martin
Mauberret
Miller
Mire
Musson
Newton
Nunez
O'Neill
Ours
Perez
Perkins

Pugh
Rachel
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singletary
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thistlewaite
Tobias
Toea
Toomy
Ullo
Velasquez
Vieh
Vick
Wall
Warren
Watigny
Weiss
Willis
Winchester
Wismah
Womack
Zervigon

ABSENT

Delegates—
Berry
Bollinger
Chehardy

Derbes
Drew
Jackson, J.

Silverberg
Thompson

The Chairman announced that there were 124 members
present and a quorum.

Prayer

Prayer was offered by Delegate Stovall.

Pledge of Allegiance

Delegate Roemer led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Martin, the reading of the Journal
was dispensed with.

On motion of Delegate Martin, the Journal of yesterday
was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the
Committee on Local and Parochial Government, and Dele-
gates Burson, Cannon, Chatelain, Corine, D'Gerolamo, Fowler,
Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves,
Shannon, Stephenson, Taylor, Toomy, Ullo and Zervigon:

A PROPOSAL

Making general provisions for local and parochial govern-
ment, levee districts, and ports, the financing thereof, and
necessary provisions with respect thereto.

Read.

Section 44. Levee Districts

Section 44. (A) Levee districts as now organized and con-
stituted shall continue to exist, except that:

(1) The legislature may provide for the consolidation,
division, or reorganization of existing levee districts or
create new levee districts. However, the members of the
boards of commissioners of such districts shall be appointed
or elected from residents of such districts;

(2) Any levee district whose flood control responsibilities
are limited to and which is situated entirely within the
boundaries of one parish may be merged and consolidated
into such parish under the terms and conditions and in the
manner provided in Section 18 of this Article. This provision
shall be self-operative.

(3) No action taken hereunder shall impair the obliga-
tion of any outstanding bonded indebtedness or of any other
contract of such levee district.

Read.

Delegate Lennox sent up a floor amendment, which was
read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Lennox to Committee
Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 24, between lines 1 and 2, insert the following
paragraph:

"(3) The authority of levee districts to expend its revenues
shall be limited to drainage, flood control, hurricane flood
protection and administrative expenses. Other powers and
functions of levee districts now or hereafter authorized may
be exercised provided that the revenues derived from such
other functions are sufficient to pay the complete cost thereof.
A local governmental subdivision, by ordinance adopted by
it, may assume and merge into itself the authority to exer-
cise such other powers and functions of a levee district exerci-
sed wholly within its boundaries. Thereupon, except for tax
revenues, the local governmental subdivision shall succeed to
and be vested with all of the rights, income, resources, jurisdiction, authority and powers of such levee district required for the exercise thereof:"

The Chairman announced that the Convention had under consideration the above amendment to Committee Proposal No. 17, Section 44, when it adjourned on Wednesday, October 3, 1973, which was taken up and acted upon as follows:

Delegate Lennox moved the adoption of the amendment.
Delegate Zervigon objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td></td>
<td>Delegates—</td>
</tr>
<tr>
<td>Abraham</td>
<td>Grier</td>
<td>Sandoz</td>
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<tr>
<td>Aertker</td>
<td>Guarisco</td>
<td>Singletery</td>
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<tr>
<td>Alexander</td>
<td>Hardee</td>
<td>Slay</td>
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<tr>
<td>Arnette</td>
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<td>Smith</td>
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<td>Asseff</td>
<td>Hernandez</td>
<td>Stagg</td>
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<td>Badieux</td>
<td>Jack</td>
<td>Stinson</td>
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<tr>
<td>Brien</td>
<td>Jenkins</td>
<td>Stovall</td>
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<tr>
<td>Burns</td>
<td>Kilbourne</td>
<td>Sutherland</td>
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<td>Chatelain</td>
<td>Leigh</td>
<td>Thistlethwaite</td>
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<td>Corne</td>
<td>Lennox</td>
<td>Velazquez</td>
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<td>Cowen</td>
<td>Munson</td>
<td>Vick</td>
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<tr>
<td>De Blieux</td>
<td>Newton</td>
<td>Warren</td>
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<td>Dunlap</td>
<td>O'Neill</td>
<td>Weiss</td>
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<tr>
<td>Elkins</td>
<td>Riecke</td>
<td>Winchester</td>
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<tr>
<td>Goldman</td>
<td>Roy</td>
<td>Wisham</td>
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<td>Total—45.</td>
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</tbody>
</table>

| NOT VOTING | | |
| Delegates— | | Delegates— |
| Mr. Chairman | | |
| Anzalone | | |
| Berry | | |
| Bollinger | | |
| Brown | | |
| Burson | | |
| Chehardy | | |
| Dorbes | | |
| Total—22. | | |

And the amendment was rejected.

Delegate Zervigon moved to reconsider the vote by which the amendment was rejected, and on her own motion, the motion to reconsider was laid on the table.

Delegate Nunez sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Nunez to Committee Proposal No. 17 by Delegate Perez, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 23, line 26, immediately after the words "commissioners of" and before "shall" delete the words "such districts" and insert in lieu thereof the following:
"districts heretofore or hereafter created"

AMENDMENT No. 2—
On page 23, line 27, delete the semicolon ";" after the word "districts" and insert in lieu thereof "as provided by law;"
On motion of Delegate Perez the amendments were withdrawn.
Delegate Nunez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Nunez to Committee Proposal No. 17 by Delegate Perez, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 23, line 26, strike out Amendment No. 1 proposed by Delegate Nunez and adopted by the Convention on October 3, 1973, immediately after the words "commissioners of" and before "shall" delete the words "such districts" and insert in lieu thereof the following:
"districts heretofore or hereafter created"

On motion of Delegate Nunez the amendment was adopted.
Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Kelly sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Kelly and Roemer to Committee Proposal No. 17 by Delegate Perez, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 23, delete lines 30 through 32, both inclusive, in their entirety and on page 24 delete lines 1 through 4 in their entirety including all floor Amendments adopted to said pages and lines.

Delegate Kelly moved the adoption of the amendment.
Delegate Womack objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

| YEAS | | |
| Delegates— | | Delegates— |
| Hernandez | | |
| Jackson, A. | | |
| Jenkins | | |
| Kelly | | |
| Kilpatrick | | |
| Lambert | | |
| Mire | | |
| Munson | | |
| O'Neill | | |
| Rachal | | |
| Total—38. | | |
## FLOOR AMENDMENT

Amendment proposed by Delegate Lennox to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 24, between lines 1 and 2, insert the following paragraph:

(3) The authority of levee districts to expend its revenues shall be limited to drainage, flood control, hurricane flood protection and administrative expenses. The legislature shall provide for the orderly transfer of all powers and functions of any levee district not directly related to the performance of drainage, flood control, hurricane flood protection and administrative expenses. In such case the legislature shall further provide that the local government subdivision shall succeed to and be vested with all the rights, income, resources, jurisdiction, authority and powers of such levee districts required for the exercise thereof.

Delegate Lennox moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

### ROLL CALL

The roll was called with the following result:

#### 60th Days Proceedings—October 4, 1973

**Delegates—**

<p>| | |</p>
<table>
<thead>
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<tbody>
<tr>
<td>Abraham</td>
<td>Gauthier</td>
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<td>Acker</td>
<td>Girrussio</td>
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<td>Alario</td>
<td>Goldman</td>
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<td>Alexander</td>
<td>Gravel</td>
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<td>Anzalone</td>
<td>Hardee</td>
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<tr>
<td>Arnette</td>
<td>Heine</td>
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<tr>
<td>Asseff</td>
<td>Jack</td>
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<tr>
<td>Avant</td>
<td>Juneau</td>
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<tr>
<td>Badeaux</td>
<td>Keen</td>
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<tr>
<td>Bel</td>
<td>Kilbourne</td>
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<tr>
<td>Bergeron</td>
<td>Landrum</td>
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<tr>
<td>Blair</td>
<td>Landry, A.</td>
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<tr>
<td>Burns</td>
<td>Lanier</td>
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<tr>
<td>Cannon</td>
<td>LeBleu</td>
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<tr>
<td>Carmouche</td>
<td>Leithman</td>
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<tr>
<td>Champagne</td>
<td>Lowe</td>
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<td>Chabert</td>
<td>McDaniell</td>
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<td>Conin</td>
<td>Martin</td>
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<td>Conroy</td>
<td>Mauberret</td>
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<td>Cowen</td>
<td>Miller</td>
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<tr>
<td>D'Gerolamo</td>
<td>Nunez</td>
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<tr>
<td>Denney</td>
<td>Oroso</td>
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<tr>
<td>Deshotels</td>
<td>Perez</td>
</tr>
<tr>
<td>Elkins</td>
<td>Planchard</td>
</tr>
<tr>
<td>Fayard</td>
<td>Pugh</td>
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<tr>
<td>Floro</td>
<td>Total—80.</td>
</tr>
</tbody>
</table>

**NOT VOTING**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Chehardy</td>
</tr>
<tr>
<td>Berry</td>
<td>Derbes</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Drew</td>
</tr>
<tr>
<td>Brown</td>
<td>Edwards</td>
</tr>
<tr>
<td>Burson</td>
<td>Fowler</td>
</tr>
<tr>
<td>Total—14.</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Nunez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lennox sent up a floor amendment, which was read as follows:

### FLOOR AMENDMENT

Amendment proposed by Delegate Lennox to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 24, between lines 1 and 2, insert the following paragraph:

(3) The authority of levee districts to expend its revenues shall be limited to drainage, flood control, hurricane flood protection and administrative expenses. The legislature shall provide for the orderly transfer of all powers and functions of any levee district not directly related to the performance of drainage, flood control, hurricane flood protection and administrative expenses. In such case the legislature shall further provide that the local government subdivision shall succeed to and be vested with all the rights, income, resources, jurisdiction, authority and powers of such levee districts required for the exercise thereof.

Delegate Lennox moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:
Passage

Committee Proposal No. 17, Section 44, was read, as amended.

Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman Fowler Planchard
Abraham Gauthier Pugh
Aetker Girrussro Rachal
Alario Goldmann Rayburn
Alexander Gravel Reeves
Anzalora Grier Rice
Arnette Hardee Roy
Aseff Hayes Sandoz
Avant Heine Schmitt
Bedeaux Hernandez Shannon
Bel Jackson, A. Singletary
Bergeron Juneau Slay
Blair Kean Soiet
Brien Kilbourne Stagg
Burns Kilpatrick Stephenson
Cannon Landrum Stinson
Carmouche Landry, A. Stovall
Casey Landry, E. J. Sutherland
Champagne Lanier Tapper
Chatelain LeBlieu Tate
Comar Leigh Toca
Conino Leithman Toomy
Conroy Lowe Ullo
Corne Lomberi Velazquez
Cowen Martin Vesich
D’Gerolamo Mauberret Warren
Dennery Miller Wattigny
Deshotels Mire Weiss
Duval Moxon Willis
Elkins Nunez Winchester
Fayard Perez Wisham
Flory Perkins Zervigon

Total—97.

NAYS

Delegates—
Jenkins Oursou
Kelly Roemer
Lambert Segura
Lennox Tobias
Mauberret Velazquez
Moberret Vesich
Miller Wattigny
Mire Weiss
Moxon Willis
Nunez Winchester
Perez Wisham
Perkins Zervigon

Total—18.

NOT VOTING

Delegates—
Drew Silverberg
Edwards Smith
Fulco Thistlethwaite
Glinn Thompson
Guirardo Womack
Jackson, J. Robinson

Total—17.

And the Chair declared that the above Section was passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote

Delegate De Blieux send up the following Explanation of Vote with respect to the question of the adoption of Section 44 of Committee Proposal No. 17:

“I have voted against the adoption of this Section because I believe this to be a legislative and not a constitutional matter.”

Section 45. District Taxes; Increase in Tax to Raise Additional Funds

Section 45. (A) For the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incidental thereto, the governing authority of each district, may levy annually a tax not to exceed five mills on the dollar, except the Board of Levee Commissioners of the Orleans Levee District which may levy annually a tax not to exceed two and one-half mills on the dollar, on all taxable property situated within the alluvial portions of said district subject to overflow.

(B) Should the necessity to raise additional funds arise in any levee district for any of the purposes herein set forth, or for any other purpose related to the authorized powers and functions which may be specified by the legislature, the tax herein authorized may be increased. However, before taking effect, the necessity for the increase and the rate thereof shall be submitted to the electors of such district and no increase in taxes shall occur unless a majority of the electors in such district who vote in the election hereinafore provided for in favor thereof.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 24, delete lines 5 through 26, both inclusive, in their entirety.

On motion of Delegate Gravel the amendment was withdrawn.

Delegate A. Jackson moved that the Convention defer action on Committee Proposal No. 17, Section 45, at this time.

Delegate Lanier objected.

On motion of Delegate A. Jackson the motion to defer action was withdrawn.

On motion of Delegate Perez action was deferred on Section 45, at this time.

Section 46. Bond Issues

Section 46. (A) Subject to the approval of the State Bond Commission or any successor thereto, the governing body of any levee district may fund the avails of said taxes or other revenues into bonds, or other evidences of indebtedness, the proceeds thereof to be used for the purposes mentioned in this Article or for the funding or payment of any outstanding indebtedness.

(B) Bonds issued under the authority of the foregoing provision shall be sold in accordance with applicable provisions of the Louisiana Revised Statutes relating to the issuance of bonds by levee districts.

Read.

On motion of Delegate Perez action was deferred on Committee Proposal No. 17, Section 46, at this time.

Section 47. Interstate Districts

Section 47. The legislature, with the concurrence of an adjoining state, may create levee districts composed of territory partly in each state, and may authorize the construction and maintenance of levees wholly within another state.

Read.

Delegate Perez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Kean and Chatelain to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 25, delete lines 7 through 12, both inclusive, in their entirety.

On motion of Delegate Perez the amendment was adopted, Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 48. Cooperation with Federal Government

Section 48. All governing authorities of levee districts which have been, or may be created, are authorized to cooperate with the federal government in the construction and maintenance of the levees in this state, on such terms and conditions as may be provided by the federal authorities and accepted by the levee districts.

Read.

Passage
Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

Delegates—

Mr. Chairman  
Abraham  
Alario  
Alexander  
Arnette  
Assess  
Avant  
Badeaux  
Bel  
Bergeron  
Blair  
Brien  
Brown  
Burns  
Burson  
Cannon  
Carmouche  
Casey  
Champagne  
Chatelain  
Conine  
Corne  
Cowie  
D'Gorolamo  
De Blieux  
Dennery  
Dennis  
Deshotel  
Dunlap  
Duval  
Elkins  
Flory  
Fontenot  
Fowler  
Fulco  
Gauthier  
Garrusso  
Total—113.

NOT VOTING

Delegate Perez moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

Delegates—

Aeriker  
Anzalone  
Berry  
Bellinger  
Chehardy  
Comar  
Derbes  
Total—19.

Not the Chair declared that the above Section was passed.
Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 49. Compensation for Property Used or Destroyed; Tax

Section 49. (A) Lands and improvements thereon hereafter actually used or destroyed for levees or levee drainage purposes shall be paid for at a price not to exceed the assessed value for the preceding year; provided, if property used or destroyed for levees or levee drainage purposes from a landowner shall exceed more than one-third the value of that landowner's property and improvements, the land and improvements thereon used or destroyed for such purposes shall be paid for at fair market value; and provided further, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to bate or to property the control of which is vested in the state or any political subdivision thereof for the purpose of commerce.

(B) If the district has no other funds or resources out of which such payment can be made, it shall levy, on all taxable property situated within the district, a tax sufficient to pay for said property so used or destroyed to be used solely in the district where collected.

(C) Nothing contained in this Section shall prevent the appropriation of said property before payment.

Read.
Delegate Conroy moved that the Convention recess for a period of five minutes.

As a substitute Delegate Perez moved that the rules be suspended in order to allow him an additional five minutes in which to further explain the Section.

Delegate Conroy objected.

The vote recurred on the substitute motion.

By a vote of 63 yeas and 26 nays the rules were suspended.
Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 25, at the end of line 24, delete the words "a price not to" and delete lines 25 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"fair market value; provided, nothing contained in this"

On motion of Delegate Conroy the amendment was withdrawn.

On motion of Delegate Perez further action on Committee Proposal No. 17, Section 49, was deferred at this time.

Section 50. Ports

Section 50. All deep-water port commissions and all deep-water port, harbor, and terminal districts as they are now organized and constituted, including their powers and functions, structures and organizations, and territorial jurisdiction, are ratified and confirmed and shall continue to exist, except that:

(A) The legislature may diminish, reduce, or withdraw from any such commission or district, including the Board of Commissioners of the Port of New Orleans, any of its powers and functions and may affect the structure and organization, distribution, and redistribution of the powers and functions of any such commission or district, including its territorial jurisdiction, only by act passed by a favorable vote of at least two-thirds of the elected membership of each house;

(B) The legislature may by law grant additional powers and functions to any such commission or district and may create new port commissions or port, harbor, and terminal districts by law. However, in so doing the legislature shall not restrict or diminish the powers and functions, structure and organization, or territorial jurisdiction of an established
AMENDMENT No. 1—
On page 26, line 12, in Floor Amendment No. 1 proposed by Delegate Dennery, et al., and adopted by the Convention on October 4, 1973, below the language added by said amendment add the following paragraph:

"(C) The membership of a deep-water port commission or deep-water port, harbor, and terminal district exercising territorial jurisdiction in more than one parish shall include at least one elector of each such parish."

Delegate Ullo moved the adoption of the amendment.
Delegate Nunez objected.

By a vote of 62 yeas and 39 nays the amendment was adopted.

Delegate Ullo moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Nunez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Nunez and Tapper to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 26, line 12, strike out Convention Floor Amendment No. 1 proposed by Delegate Ullo, et al., and adopted by the Convention on October 4, 1973, and in Floor Amendment No. 1 proposed by Delegate Dennery, et al., adopted by the Convention on October 4, 1973, below the language added by said amendment add the following paragraph:

"(C) The membership of a deep-water port commission or deep-water port, harbor, and terminal district shall be provided for by law."

Delegate Nunez moved the adoption of the amendment.
Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Gravel Robinson
Guarisco Roemer
Haynes Roy
Jackson, A. Singletary
Juneau Slay
Kelly Stephenson
Kilbourne Stovall
Landry, E. J. Tapper
LeBlanc Tate
Miller Toca
Newton Toomy
Nunez Toomey
Pugh Trexler
Reaves Winchester
Reeves Wisham

NAYS

Abraham Lowe
Aertker McDaniel
Anzalone Martin
Aseff Maubertet
Badeaux Mire
Bergeron Ourso
Burns Planchard
Busson Rachal
Cannon Rieke
Casey Sandoz
Champagne Smith
Chate lain Soniat
Comar Stagg
Conroy Stinson
Corne Sutherland
Denbery Thistlewhite
Duval Tobias

Delegate Flory objected.

By a vote of 90 yeas and 8 nays the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Ullo sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Ullo and Conroy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
DELEGATE PROPOSAL No. 4—
Introduced by Delegates Assel, Lennox and Womack: A PROPOSAL
RELATIVE TO THE MANAGEMENT OF THE STATE HIGHWAY SYSTEM.
Reported unfavorably.

DELEGATE PROPOSAL No. 11—
Introduced by Delegate Duval: A PROPOSAL
For prohibition against dual office holding.
Reported unfavorably.

DELEGATE PROPOSAL No. 23—
Introduced by Delegate Abraham: A PROPOSAL
Relative to appropriations by the legislature for the state budget.
Reported favorably.

DELEGATE PROPOSAL No. 28—
Introduced by Delegate Newton: A PROPOSAL
To establish a Board of Highways, a director, its powers, duties and functions.
Reported unfavorably.

DELEGATE PROPOSAL No. 64—
Introduced by Delegate Tocha: A PROPOSAL
Making provision for a board of commissioners of the Louisiana State Library.
Reported unfavorably.

DELEGATE PROPOSAL No. 67—
Introduced by Delegate Abraham: A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Reported favorably.

DELEGATE PROPOSAL No. 71—
Introduced by Delegate Abraham: A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.
Reported favorably.

DELEGATE PROPOSAL No. 72—
Introduced by Delegate Abraham: A PROPOSAL
Making provisions for the deiction of the attorney general from the Judicial Branch of state government.
Reported favorably.

DELEGATE PROPOSAL No. 96—
Introduced by Delegates Vick, Abraham, Bel, Berry, Casey, Dennergy, Goldman, Guarisco, Haney, A. Jackson, J. Jackson, LeBreton, Lennox, Miller, Pugh, Rachel, Rieke, Soniat, Stovall, Sutherland, Velazquez and Weiss: A PROPOSAL
Providing for the powers and duties of the attorney general.
Reported without action.

Respectfully submitted,  
ROBERT J. AERTKER,  
Chairman.

On motion of Delegates Tocha, the Convention altered the Order of Business to take up Executive Department reports at this time.

Motion
On motion of Delegate Siatte, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Robert J. Aertker, chairman, on behalf of the Committee on Education and Welfare, submitted the following report:

State of Louisiana  
Constitutional Convention  
of 1973  

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Education and Welfare to submit the following report:

DELEGATE PROPOSAL No. 54—
Introduced by Delegates Juneau, Leithman and Corne: A PROPOSAL
Making provisions for education and necessary provisions with respect thereto.

Reported With Amendments

Respectfully submitted,  
ROBERT J. AERTKER,  
Chairman.

Delegate Stagg, chairman, on behalf of the Committee on Executive Department, submitted the following report:

State of Louisiana  
Constitutional Convention  
of 1973  

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Executive Department to submit the following report:

DELEGATE PROPOSAL No. 61—
Introduced by Delegates Stagg: A PROPOSAL
Making provisions for the inclusion of the attorney general in the Executive Branch of government.

Reported favorably.

Respectfully submitted,  
TOM STAGG,  
Chairman.

On motion of Delegate Rayburn the rules were suspended in order to call a meeting of the Committee on Revenue, Finance and Taxation without giving the required twenty-four hours notice.

COMMITTEE NOTICE

Delegate Rayburn, chairman of the Committee on Revenue, Finance and Taxation, sent up the following notice:

The Committee on Revenue, Finance and Taxation will
meet on Friday, October 5, 1973, at 9:00 o'clock A.M. in Committee Room No. 5, State Capitol and will consider the following agenda:

AGENDA

Committee Proposal No. 26.

Respectfully submitted,

B. B. RAYBURN,
Chairman of the Committee on Revenue, Finance and Taxation

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Stagg the rules were suspended in order to call a meeting of the Committee on Executive Department without giving the required twenty-four hours notice.

COMMITTEE NOTICE

Delegate Stagg, chairman of the Committee on the Executive Department, sent up the following notice:

The Committee on the Executive Department will meet on Friday, October 5, 1973, at 10:00 o'clock A.M. in Committee Room 205 and will consider the following agenda:

AGENDA

To consider proposals referred to the Committee.

Respectfully submitted,

TOM STAGG,
Chairman of the Committee on the Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Bollinger—3 days.
Delegate Thompson—½ day.
Delegate Chehardy—1 day.

Adjournment

Delegate Chatelain moved that the Convention do now adjourn until Friday, October 5, 1973, at 1:00 o'clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, October 5, 1973, at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
SIXTY-FIRST DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Friday, October 5, 1973, Baton Rouge, La.

The Convention was called to order at 1:00 o'clock p.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman Fowler Ourso
Abraham Fulco Perez
Aertker Gauthier Perkins
Alario Giarrusso Planchard
Alexander Ginn Rachal
Anzalone Goldman Rayburn
Arnette Gravel Reeves
Asseff Grier Riecke
Avant Guariseo Robinson
Badeaux Hardee Roemer
Bel Hayes Roy
Bergeron Haynes Sandoz
Blair Heire Schmitt
Brown Hernandez Shannon
Burns Jack Singleton
Burson Jackson, A. Smith
Buron Jackson, J. Sontag
Cannon Jenkins Stagg
Carmouche Juneau Stephenson
Casey Kean Sutphin
Champagne Kelly Sutherland
Chatelet Kibourne Tappe
Cohardy Kilpatrick Tate
Comar Lambert Thompson
Conino Landrum Tobias
Conroy Landry, A. Toca
Corne Landry, E. J. Toomy
Cowen Lanier Ullo
D'Geroamo LeBieu Velazquez
De Blieux Leigh Vest
Dennery Lennox Vick
Dennis Love Wall
Derbes McDaniel Warren
Deshotels Martin Wattigny
Dunlap Mauberret Weiss
Duval Miller Willis
Edwards Mire Winchester
Elkins Munson Wisham
Fayard Newton Zervigon
Fiery Nunez
Fontenot O'Neill

Total—122.

ABSENT

Delegates—
Berry Pugh Stovall
Bollinger Segura Thistlethwaite
Drew Silverberg Womack
Leithman

Total—10.

The Chairman announced that there were 122 members
present and a quorum.

Prayer

Prayer was offered by Delegate E. J. Landry.

Pledge of Allegiance

Delegate Vick led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Miller, the reading of the Journal
was dispensed with.

On motion of Delegate Miller, the Journal of yesterday
was adopted.

Morning Hour

Reports of Committees Lying Over
Delegate and Committee
Proposals on Second Reading
Reported by Committees

The following entitled Delegate and Committee Proposals
were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 4—
Introduced by Delegates Asseff, Edwards, Lennox and Wo-
mack:

A PROPOSAL

RELATIVE TO THE MANAGEMENT OF THE STATE
HIGHWAY SYSTEM.

Read.

Reported unfavorably by the Committee on Executive
Department.

On motion of Delegate Asseff the Proposal was withdrawn
from the files of the Convention.

DELEGATE PROPOSAL No. 11—
Introduced by Delegate Duval:

A PROPOSAL

For prohibition against dual officeholding.

Read.

Reported unfavorably by the Committee on Executive
Department.

On motion of Delegate Duval the Proposal was withdrawn
from the files of the Convention.

DELEGATE PROPOSAL No. 23—
Introduced by Delegate Abraham:

A PROPOSAL

Relative to appropriations by the legislature for the state
budget.

Read.

Reported favorably by the Committee on Executive De-
partment.

On motion of Delegate Abraham the Proposal was ordered
engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 26—
Introduced by Delegate Newton:

A PROPOSAL

To establish a Board of Highways, a director, its powers,
duties, and functions.

Read.

Reported unfavorably by the Committee on Executive De-
partment.

On motion of Delegate Newton the Proposal was withdrawn
from the files of the Convention.

DELEGATE PROPOSAL No. 51—
Introduced by Delegates Juneau, Leithman and Corne:

A PROPOSAL

Making provisions for education and necessary provisions
with respect thereto.

Read.

590
Committee Amendment

Amendments proposed by Committee on Education and Welfare to Delegate Proposal No. 54 by Delegates Juneau, Leithman, and Corne:

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 10 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. The goals of the educational system of Louisiana shall be to provide learning environments and experiences designed to promote excellence so that all the children of the state may be afforded the opportunity to develop to their full potential."

AMENDMENT No. 2—
On page 1, between lines 26 and 27, add the following "Section 4.1. Funding; Elementary and Secondary Education of the school children of this state in the elementary and secondary schools shall be derived from sources determined by the legislature and shall be apportioned to the parish and city school boards in the manner hereinafter:

1. Minimum program. The legislature shall appropriate sufficient funds to insure a minimum program of education in all public elementary and secondary schools. The minimum program of education to be maintained in all parish and city school systems shall be established by the educational board or authority having supervision over public elementary and secondary education. The board shall adopt formulas and procedures for the distribution of these funds to the general school boards.

2. Other funds. Any other funds provided by the legislature for the support of public schools shall be apportioned and distributed in accordance with a formula established by the educational board or authority having supervision over public elementary and secondary education, subject, however, to the terms of the laws governing such funds or the lawful stipulations of the source of the funds.

3. Local funds. Local funds for the support of public elementary and secondary schools shall be derived from the following sources:

a. Each parish and city school board, the parish of Orleans excepted, shall levy annually an ad valorem maintenance tax of five mills, or as much thereof as is necessary, on all property subject to such taxation within the parish or city in the manner prescribed by law.

b. The Orleans Parish School Board shall levy annually a tax not to exceed thirteen mills on the dollar on the assessed valuation of all property within the city of New Orleans, subject to annual levy and shall certify the fact to the governing authority of the city. The governing authority shall cause said tax to be entered on the tax rolls of the city and collected in the manner and under the conditions and with the interest and penalties so prescribed by law for city taxes. The money thus collected shall be paid daily to the Orleans Parish School Board.

4. For giving additional support to the public elementary and secondary schools, any parish, school district, or any subdivision, or any municipality which supports a separate system of public schools, may levy ad valorem taxes for specific purposes, when authorized by a majority of the electorate voting in the parish, municipality, district, or subdivision, in an election called for the purpose. The amount, duration, and purpose of such taxes shall be set in accord with any limitations imposed by this constitution or by the legislature. No such tax shall be levied for a period longer than ten years, except that any tax levied to pay the costs of bonds or other debts incurred shall be levied and collected until the principal and interest on the bonds or other debts have been paid.

5. The legislature may provide for additional sources of local support and to that end, all property subject to such taxation shall be taxed at the same rate, and treated upon the same basis and shall have the same authority as though they were separate parishes instead of municipalities.

6. The board of education of Ouachita Parish shall not be required to pay to the city of Monroe out of the public funds any per capita for children residing without the limits of said city and who may attend the schools maintained by the city of Monroe under its legislative charter."

AMENDMENT No. 3—
On page 1, between lines 26 and 27, add the following new section:

Section 4.2. Free School Books and Materials of Instruction.

Section 4.2. The legislature shall appropriate funds to supply free school books, and other materials of instruction as prescribed by the appropriate state educational board or other authority, to all schools in elementary and secondary schools.

AMENDMENT No. 4—
On page 2, line 2, after the word "private" delete the remainder of the line and insert in lieu thereof the following:

"elementary, secondary, and proprietary schools whose sustained curriculum or specialized course of study is of a quality."

AMENDMENT No. 5—
On page 2, delete lines 30 through 32, both inclusive, in their entirety, and on page 3, delete lines 1 and 2, both inclusive, in their entirety, and insert in lieu thereof the following:

"Section 9. Appropriations by the legislature for educational purposes shall be made to and administered by the appropriate board, agency, or authority and shall be used solely for the operations of the institutions for which designated in the appropriations."

AMENDMENT No. 6—
On page 3, delete lines 3 through 7, both inclusive, in their entirety.

On motion of Delegate Juneau the amendments were adopted.

DELEGATE PROPOSAL No. 64—
Introduced by Delegate Toca:

A PROPOSAL

Making provision for a board of commissioners of the Louisiana State Library.

Read.

Reported unfavorably by the Committee on the Executive Department.

On motion of Delegate Toca the Proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 67—
Introduced by Delegate Abraham:

A PROPOSAL

Making provisions for the inclusion of the attorney general in the Executive Branch of government.

Read.

Reported favorably by the Committee on the Executive Department.

On motion of Delegate Abraham the Proposal was ordered engrossed and passed to its third reading.
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functions,
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or
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or
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port,
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and
terminal
district
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a
favorable
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house;
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commission
or
depth-water
port,
harbor,
and
terminal
district
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a
favorable
vote
of
at
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two-
thirds
of
the
elected
membership
of
each
house;
(C) (1) Notwithstanding
the
provision
of
Paragraphs
(A)
and
(B)
of
this
Section,
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legislature
shall
by
law
provide
for
a
change
in
the
method
of
selection
and
composition
of
the
Board
of
Commissioners
of
the
Port
of
New
Orleans
and
define
its
territorial
jurisdiction.
(2) After
the
exercise
of
authority
as
provided
in
sub-
paragraph
(1)
above,
the
legislature
may
only
affect
the
Board
of
Commissioners
of
the
Port
of
New
Orleans
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vided
in
Paragraphs
(A)
and
(B)
of
this
Section,
except
that
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change
in
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territorial
jurisdiction
of
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port
shall
affect
the
territorial
jurisdiction
of
any
other
existing
depth-

water
port
commission
or
depth-water
port,
harbor,
and
terminal
district.

(3) In
the
event
the
legislature
does
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exercise
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granted
in
subparagraph
(1)
above
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ten
years
after
the
adoption
of
this
constitution,
the
composition
of
said
port
and
territorial
jurisdiction
of
said
port
shall
not
be
changed
except
in
compliance
with
Paragraphs
(A)
and
(B)
of
this
Section.

Read.

The
chairman
announced
that
the
Convention
had
under
consideration
Committee
Proposal
No.
17,
Section
50,
when
it
adjourned
on
Thursday,
October
4,
1973,
which
was
taken
up
and
acted
upon
as
follows:

Delegate
Conroy
sent
up
a
floor
amendment,
which
was
read
as
follows:

FLOOR
AMENDMENT
Amendment
proposed
by
Delegate
Conroy
to
Committee
Proposal
No.
17
by
Delegate
Perez,
et
al.

Amend
reprinted
as
engrossed
proposal
as
follows:

AMENDMENT
No.
1—
On
page
26,
line
12,
in
Convention
Floor
Amendment
No.
1
proposed
by
Delegate
Dennery,
et
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adopted
by
the
Convention
on
October
4,
1973,
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Amendment,
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word
"All"
and
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sert
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thereof
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following:

"Subject
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and
not
inconsistent
with
any
provision
of
this
constitution,
all"

Delegate
Conroy
moved
the
 adopts
the
amendment.

Delegate
Casey
objected.

A
record
vote
was
asked
for
and
ordered
by
the
Convention.

ROLL
CALL

The
roll
was
called
with
the
following
result:

YEAS

Delegates—
Aertker—
Alario—
Aself—
Avant—
Badenx—
Blair—
Brown—
Champigne—
Conroy—
De
Blieux—
Dennis—
Dunlap—
Edwards—
Ekins—
Flory—
Fontenot—
Pawler—
Gauthier—
Gould—

Ginn—
Goldman—
Gravel—
Guarrisco—
Hayes—
Heine—
Jackson—
Kean—
Lanier—
Reeves—
Shannon—
Stephenson—
Taylor—
Toomy—
Ullo—
Zervigon—

Nunez—
O'Neill—
Planchard—
Rayburn—
Reeves—
Robinson—
Roemer—
Roy—
Schmitt—
Slay—
Smith—
Stinson—
Tapper—
Thompson—
Wall—
Warren—
Wisham—

Total—53.
61st Days Proceedings—October 5, 1973

NAYS

Delegates—
Mr. Chairman
Abraham
Amzlone
Arnette
Bel
Bergeron
Brien
Burns
Burton
Cannon
Carmouche
Casey
Chaelain
Chehardy
Comar
Conino
Corne
Cowan
D'Gerolamo
Denvery

Total—59.

NAYS

Derbes
Deshotels
Fulco
Giarruso
Grier
Grieve
Heine
Hernandez
Jackson, J.
Killbourne
Landrum
Landry, A.
Lanier
LeBleu
Lowe
Martin
Mauberret
Ouro
Perkins
Rachal
Riecke
Sandoz
Shannon
S sing/ tary
Stagg
Stephenson
Sutherland
Tobias
Toea
Toomy
Ulo
Velazquez
Vick
Wattigny
Weiss
Williams
Winchester
Zervigon

NOT VOTING

Delegates—
Alexander
Berry
Bollinger
Drew
Duval
Fayard
Jenneau
Kean
Leithman
McDaniel
Munson
Perez
Pugh
Segura
Silverberg
Siovall
Stead
Thistlethwaite
Vesich
Womack

Total—49.

FLOOR AMENDMENT

Amendment proposed by Delegates Nunez, Tapper and Gauthier to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 26, line 12, strike out Floor Amendment No. 1 proposed by Delegates Ullo and Conroy and adopted by the Convention on October 4, 1973, and in Floor Amendment No. 1 proposed by Delegate Denney, et al., and adopted by the Convention on October 4, 1973, below the language added by said amendment add the following:

"(C) The legislature shall make provisions with respect to the membership of the herein provided commissions. Once the membership is established it may be changed only upon a two-thirds vote of the elected members of each house of the legislature."

Delegate Nunez moved the adoption of the amendment.

Delegate Lennox objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Alario
Arnette
Avant
Blair
Brien
Brown
Burson
Cannon
Carmouche
Chehardy
Conino
D'Gerolamo
De Blieux
Dennis
Deshotels
Dunlap
Duval

Kelly
Kilpatrick
Lambert
Landry, E. J.
LeBleu
Martin
Miller
Mire
Newton
Nunez
O'Neill
Ours
Perez
Planchard
Rauburn
Reeves
Robinson
Reomer
Roy
Slay
Tapper
Tate
Thompson
Toca
Toomy
Ulo
Wall
Warren
Wattigny
Wills
Wisham

NAYS

Delegates—
Abraham
Aertker
Azalone
Assent
Bel
Bergeron
Burns
Casey
Chaelain
Comar
Conino
Corne
Cowan
D'Gerolamo
Denvery
Derbes
Pulco

NOT VOTING

Delegates—
Alexander
Badeaux
Berry
Bollinger
Drew
Jenneau

Total—18.

FLOOR AMENDMENT

Amendment proposed by Delegate Denney to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 26, line 12, in Convention Floor Amendment No. 1 proposed by Delegate Denney, et al., and adopted by the Convention on October 4, 1973, on line 8, after the words "the legislature" and before the word "may" insert the following:

"may consolidate or abolish any such commission or district or"

On motion of Delegate Jenkins the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Denney sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Denney to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 26, delete lines 12 through 22, both inclusive, in their entirety, including all amendments adopted thereto, and on page 27 delete lines 1 through 24, both inclusive, in their entirety, including all amendments adopted thereto, and insert in lieu thereof the following:
"Section 50. Ports
All deep-water port commissions and all deep-water port, harbor, and terminal districts as they are now organized and constituted, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist, except that:
(A) The legislature may grant additional powers and functions to any such commission or district and may create new port commissions or port, harbor, and terminal districts;
(B) The legislature may consolidate or abolish any such commission or district or may diminish, reduce, or withdraw from any such commission or district any of its powers and functions and may affect the structure and organization, distribution, and redistribution of the powers and functions of any such commission or district, including additions or reductions of its territorial jurisdiction, only by act passed by a favorable vote of at least two-thirds of the elected membership of each house;
(C) The legislature shall make provisions with respect to the membership of the herein provided commissions. Once the membership is established it may be changed only upon a two-thirds vote of the elected members of each house of the legislature."

Delegate Dennery moved the adoption of the amendment.

Delegate Brown objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
A. Rice
Anzalone
Assaf
Avant
Bel
Bergeron
Blair
Brice
Burns
Burson
Cannon
Carmouche
Casey
Chehardy
Comar
Conino
Conroy
Corne
D’Gerolamo
De Blieux
Dennery
Derbes
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

Fowler
Fulcher
Gauthier
Girrussio
Ginn
Goldman
Gravel
Grier
Guaraico
Hayes
Haynes
Hernandez
Jackson, A.
Jackson, J.
Kelly
Kimber
Landrum
Landry, A.
Landry, E. J.
Lebleu
Leigh
Lennox
Lowe
Maubert
Miller
Newton
Nunez
O’Neill
Ourso
Perez
Perkins
Plancherd
Rayburn
Reeves
Roemer
Roy
Sandoz
Shannon
Singleton
Slay
Smith
Soniat
Stagg
Stinson
Sutherland
Tetter
Tate
Thompson
Tobias
Toomy
Ullo
Velazquez
Vescich
Vick
Wall
Wattigney
Weiss
Wells
Wills
Wisham
Worley
Zerovig

NAYS

Delegates—
Brown
Champagne
Chateiain
Deshhotel
Jenkins

Kean
Kilbourne
Total—10.

Delegates—
Alexander
Arnette
Badeaux
Berry
Bollinger
Cowen
Drew
Hardie
Heine
Jack

Juneau
Lambert
Leithman
McDaniel
Mire
Monson
Pugh
Rachal
Schmitt

Segura
Silverberg
Stephenson
Stovall
Thistlethwaite
Toca
Warren
Winston
Womack

NOT VOTING

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Chatlain sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Chatlain to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 26, line 12, in Floor Amendment No. 1, proposed by Delegate Dennery, and adopted by the convention on October 5, 1963, on line 24 of said amendment, after the words "membership of the” delete the remainder of the line and at the beginning of line 23, delete “vide commissions” and insert in lieu thereof the following: “Board of Commissioners of the Port of New Orleans.”

Delegate Chatlain moved the adoption of the amendment.

Delegate Roemer objected.

By a vote of 25 yeas and 85 nays the amendment was rejected.

Delegate Tobias moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, Section 50, was read, as amended.

Delegate Perez moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
A. Rice
Anzalone
Assaf
Avant
Bel
Bergeron
Blair
Brice
Burns
Burson
Cannon
Carmouche
Casey
Chehardy
Comar
Conino
Conroy
Corne
D’Gerolamo
De Blieux
Dennery
Derbes
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

Dennery
Dennis
Deshhotel
Dunlap
Duval
Elkins
Fayard
Flory
Powe\'er
Pulco
Gauthier
Girrussio
Ginn
Goldman
Gravel
Grier
Guaraico
Hayes
Haynes
Hernandez
Jackson, A.
Jackson, J.

Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
Lebleu
Leigh
Lennox
Martin
Maukerret
Miller
Motin
Newton
Nunez
O’Neill
Ourso
Perez
Perkins
Planehard
Rachal
Rayburn
Reeves
Robinson
Sandoz

NAYS
Delegate Burson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 27 at the end of line 31 after the word "including" add the following words: "school boards and"

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Gravel, Nunez, Rayburn, Brown, Mire, A. Jackson, Duval, Kelly, Avant, Newton, Flory and Chehardy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 28, delete lines 6 through 16, both inclusive, in their entirety and on page 28 delete lines 22 and 23 in their entirety.

On motion of Delegate Gravel the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 28, line 17, after the words and quotation marks "General law" and before the word "means" insert the following: "or law"

On motion of Delegate Dennery the amendment was withdrawn.

Delegate Guarisco sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Guarisco to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 27 delete lines 25 through 32, both inclusive, in their entirety and on page 28 delete lines 1 through 32, both inclusive, in their entirety.

Delegate Guarisco moved the adoption of the amendment.

Delegate Goldberg objected.

By a vote of 10 yeas and 99 nays the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Passage
Committee Proposal No. 17, Section 51, was read as amended.
Delegate Perez moved the passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
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<tr>
<th>Delegates</th>
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<tr>
<td>Mr. Chairman</td>
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NAYS

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<td>81</td>
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And the Chair declared that the above Section was passed.
Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Perez Proposal No. 17 was returned to the Calendar subject to call.

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

On motion of A. Jackson, and under a suspension of the rules, Committee Proposal No. 33, was taken up out of its regular order.

COMMITTEE PROPOSAL No. 33—
Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate Jackson, Chairman on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL
Making general provisions for elections.

Read.
Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Gravel and Burson to Committee Proposal No. 33 by Delegate Jackson, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 12 and 13, insert the following:

“Section 1. Election Code
Section 1. Subject to and not inconsistent with the provisions of this constitution, the legislature shall adopt an election code which shall provide for the registration of voters and for the conduct of all elections.”

Delegate Gravel moved the adoption of the amendment.
Delegate Warren objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

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NOT VOTING

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<td>Total</td>
<td>81</td>
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</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>Abraham</td>
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<td>Total</td>
<td>81</td>
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</tbody>
</table>

And the Chair declared that the above Section was passed.
Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Perez Proposal No. 17 was returned to the Calendar subject to call.

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Blair</td>
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</tbody>
</table>
And the Chair declared that the above Section was passed.

Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Haynes moved that the Convention take up other Orders of Business at this time.

Delegate Willis objected.

By a vote of 21 yeas and 75 nays the Convention refused to take up other Orders of Business at this time.

**ARTICLE X. ELECTIONS**

**Section 1. Free Elections**

Section 1. Elections shall be freely and fairly conducted on a periodic basis. No law shall interfere with the free exercise of the right to vote.

Read.

Delegate Juneau sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Juneau to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 13 through 16, both inclusive, in their entirety.

Delegate Juneau moved the adoption of the amendment.

Delegate J. Jackson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<th>Delegate</th>
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<td>Deshotels</td>
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<tr>
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Delegate Rayburn, chairman, on behalf of the Committee on Revenue, Finance and Taxation, submitted the following report:

State of Louisiana Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Revenue, Finance and Taxation to submit the following report:

COMMITTEE PROPOSAL No. 26—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubernet, Mire, Nunez, Planchard, Slay and Winchester:
A PROPOSAL
Making provisions for property taxation.
Reported with amendments.

Respectfully submitted,
B. B. RAYBURN,
Chairman.

Suspension of the Rules

On motion of Delegate Rayburn the rules were suspended in order to take up the Proposal contained in the Committee Report at this time.

Reports of Committees Lying Over
Delegate and Committee
Proposals on Second Reading
Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 26—
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubernet, Mire, Nunez, Planchard, Slay and Winchester:
A PROPOSAL
Making provisions for property taxation.
Read.
Reported with the following amendments by the Committee on Revenue, Finance and Taxation.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 25 and 26, add the following:
"(B) All public property."

(C) Places of religious worship; property owned by religious denominations and used as residences for ministers; places of burial, and property held by any religious denomination or nonprofit corporation or organization for burial purposes, but the exemption shall not apply to unsold lots, crypts, or places for burial, nor shall it apply to lands held for development as places for burial, when so held for profit; places devoted to charitable undertakings, including that of such organizations as lodges and clubs organized for charitable and fraternal purposes and practicing the same; schools and colleges; nonprofit hospitals; but the exemption shall extend only to property, and grounds thereunto appurtenant, used for the above mentioned purposes, and not leased for profit or income.

(D) Cash on hand or deposit; obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof; loans by life insurance companies to policyholders, if secured solely by their policies; the legal reserve of domestic life insurance companies; loans by homestead or building and loan associations to their members, if secured...
solely by stock of said associations; debts due for merchandise or other articles of commerce or for services rendered; obligations of the state or its political subdivisions; all personal property used in the home or on loan in a public place; agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, and all animals on the farm, and property belonging to agricultural fair associations; all property used for cultural or civic activities and not operated for profit to the owners; all oceangoing vessels engaged in international trade and not operated in Louisiana; and all third class goods, held in bulk at the port authority or docks of any common carrier where such imports first entered this state; or

(b) So long as any such imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, and all other original packages, and agricultural products held in bulk as all or a part of the new material inventory of manufacturers or processors, solely for manufacturing or processing; or

(c) So long as any such imports are held by an importer in any public or private storage facility in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade for sale at retail.

All such property whether entitled to exemption or not shall be reported to the proper taxing authority on the forms required by law.

(2) All raw materials, goods, commodities, and other articles being held upon the public property of a port authority or docks of any common carrier or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the continental United States.

All such property entitled to exemption shall be reported to the proper taxing authority on the forms required by law.

(3) All goods, commodities, and personal property in public or private storage while in transit through this state which is (a) moving in interstate commerce through or over the territory of the State of Louisiana; or (b) which is in public or private storage within the State of Louisiana and is transported through the State of Louisiana for storage in transit to a final destination outside of the State of Louisiana, whether such destination was specified when the transportation begins or afterward. All such property whether entitled to exemption or not shall be reported to the proper taxing authority on the forms required by law.

AMENDMENT No. 2—
On page 2, at the beginning of line 26, delete "(B)" and insert in lieu thereof "(H)"

COMMITTEE AMENDMENT
Amendment Proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 25 and 26. on line 1 of paragraph (D) of Committee Amendment No. 1 adopted on September 21, 1973 by the committee, and immediately after the words "cash on hand or deposit?" add the following:

"stocks and bonds, except bank stocks, which shall be assessed and taxed solely as provided by law, and the tax paid by the banking institution;"

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 1 and 2, add the following Section:

"Section 2. Rate of State Property Taxation; Limitation Section 2. The rate of state taxation on property for all purposes shall not exceed, in any one year, five and three-quarter mills on the dollar of its assessed value."

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:
AMENDMENT No. 1—
On page 2, between lines 25 and 26 in Committee Amendment No. 1 adopted by the committee on September 21, 1973, in the language added by Committee Amendment No. 1, page 1, paragraph (D), line 16, after the word “cultural” and before the word “or,” insert a comma “,” and the words “mardi-gras carnival”.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 2, at the end of line 4, add the following: “ad valorem”

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 25 and 26, in Committee Amendment No. 1 adopted by the committee on September 21, 1973, in the language added by Committee Amendment No. 1, page 1, Paragraph (D), line 24, after the word “seafood” and before the semi-colon “;”, insert the words “other than men-haden”.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 25 and 26, in Committee Amendment No. 1 adopted by the committee on September 21, 1973, in the language added by Committee Amendment No. 1, page 2, Paragraph (F), at the end of line 42, delete the word “On” and delete all of lines 43 through 56.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 3, between lines 25 and 26, in Committee Amendment No. 1 adopted by the committee on September 21, 1973, in the language added by Committee Amendment No. 1, page 3, paragraph (G), delete lines 5 through 7, and lines 14 through 16, begin a new paragraph with the word “All” in line 26 and insert after the word “property” and before the word “whether” the words “described in this Paragraph (G)”.

COMMITTEE AMENDMENT
Amendments proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed Proposal as follows:

AMENDMENT No. 1—
On page 3, between lines 20 and 21, insert the following: “Section 6. Revenue Sharing Fund
Section 6. There is hereby established and created a special fund in the State Treasury to be known as the Revenue Sharing Fund. The fund shall be composed of moneys which shall be transferred to it annually out of the state general fund by the state treasurer in the amount of eighty million dollars. This provision shall be self-operative. The legislature may allocate additional sums to the Revenue Sharing Fund and shall provide for distribution of the moneys in the fund to those local governing bodies, municipalities, police juries, boards, commissions, districts, and other agencies as may be designated by it.

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 29 and 30, insert the following: “All property subject to taxation shall be reappraised at intervals of not more than five years.”

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, immediately below line 1 and before the Committee Amendment adding a new Section entitled “Rate of State Property Taxation; Limitation,” insert the following Paragraph:
“(E) The legislature may provide that agricultural, horticultural and timber lands will be assessed for the purpose of taxation at a percentage of use value rather than fair market value.”

COMMITTEE AMENDMENT
Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 25 and 26, in Committee Amendment No. 1 relative to exemptions, on page 1 of the amendment, delete lines 2 through 15, entitled “Section (C),” and insert in lieu thereof the following:
“(C) Places of religious worship; property owned by religious denominations and used as residences for clergy or religious; places of burial, and property held by any religious denomination or nonprofit corporation or organization for burial purposes, but the exemption shall not apply to sold lots, crypts, or places for burial nor shall it apply to lands held for development as places for burial, when so held for profit; universities, schools and colleges; places devoted to charitable undertakings; hospitals, nursing homes, homes for the aged, convalescent and rehabilitation facilities, institutions for treatment, rehabilitation and care of the physically and mentally handicapped or retarded, orphanages, child and/or day care centers, which are organized as non-profit corporations under the Louisiana Non-profit Corporations Law or which are exempt from federal and state income taxation law which are licensed or regulated by the state of Louisiana; organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same; but exemption shall extend only to property, and grounds thereunto appurtenant, used for the above mentioned purposes, and not leased for profit or income.”
Committee Amendment

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 25 and 26, in Committee Amendment No. 1 relative to exemptions, on page 1 of said amendment, on line 24 of Paragraph (D), delete the amendment stating "other than menhaden" which was adopted by the committee on September 27, 1973, and insert in lieu thereof the following on line 24 after the word "seafood" the words "for human consumption"

Committee Amendments

Amendments proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 12 and 13, insert the following:

"Such millage adjustments shall be made without regard to limitations contained elsewhere in this constitution."

Committee Amendment

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 3, line 26, after the word and punctuation "election," insert the following sentence:

"When a vacancy occurs in the office of tax assessor the duties of the office, until it is filled by election as provided by law, shall be assumed by the chief deputy assessor."

Committee Amendments

Amendments proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 4, line 3, insert the following paragraph:

"(C) When a vacancy occurs in the office of tax assessor the duties of the office, until it is filled by election as provided by law, shall be assumed by the chief deputy assessor; except in the parish of Orleans, where the Board of Assessors for the parish of Orleans shall appoint the interim assessor."

AMENDMENT No. 2—
On page 3, line 26, delete Committee Amendment No. 1 proposed of Delegate Mire and adopted by the committee on October 5, 1973, relative to "vacancies"

Committee Amendment

Amendment proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Committee Amendment

AMENDMENT No. 1—
On page 3, between lines 20 and 21, after Committee Amendment No. 1 adding a new Section entitled "Revenue Sharing Fund", proposed by Delegate Conroy and adopted by the Committee on September 27, 1973 add the following new Section:

"Section 7. Method of Distribution of Revenue Sharing Funds
Section 7. Revenue sharing funds shall be distributed by the legislature to the parishes solely on the basis of population and number of homesteads in the parish. The ratio to be used in making the distribution and the distribution of these funds by each parish shall be made in accordance with law."

Committee Amendments

Amendments proposed by Committee on Revenue, Finance and Taxation to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—
On page 2, at the beginning of line 2 and again at the beginning of line 4, change "Section 2." to "Section 3."

AMENDMENT No. 2—
On page 2, at the beginning of line 29 and again at the beginning of line 31, change "Section 3." to "Section 4."

AMENDMENT No. 3—
On page 3, at the beginning of line 5 and again at the beginning of line 6, change "Section 4." to "Section 5."

AMENDMENT No. 4—
On page 3 at the beginning of line 21 and again at the beginning of line 22, change "Section 5." to "Section 8."

On motion of Delegate Rayburn the amendments were adopted.

On motion of Delegate Rayburn the Proposal, as amended, was ordered engrossed and passed to its third reading.

Committee Notice

Delegate Dennis, chairman of the Committee on the Judiciary, sent up the following notice:

The Committee on the Judiciary will meet on Thursday, October 11, 1973, at 9:00 o'clock A.M. in Committee Room No. 1 and will consider the following agenda:

AGENDA
A public hearing on Delegate Proposals Nos. 32 and 43.

Respectfully submitted,

JAMES L. DENNIS,
Chairman of the Committee on
The Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Stovall—2 days.
Delegate Pugh—1 day.
Delegate Leithman—1 day.
Delegate Thistlethwaite—1 day.
Delegate Segura—1 day.
Delegate Drew—Indefinite.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Saturday, October 6, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, October 6, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Bren
Burlon
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D’Geralamo
De Blicex
Dennis
Derbes
Deshotel’s
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fonrenot
Fowler
Fuico
Gauthier
Giarusso
Ginn
Goldman
Grier
Guarisco
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelt
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, E. J.
Lanier
LeBleu
Leigh
Lennox
Lowe
Martin
Mauberret
Miller
Mire
Munson
Newton
Nunez
O’Neill
Ousso
Perez
Perkins
Planchard
Rainey
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singleton
Smith
Soniat
Stagg
Sinton
Sutherland
Tapper
Tate
Thistlethwaite
Toca
Teomy
Ullo
Velazquez
Vesich
Vick
Wall
Warren
Watigny
Willis
Winchester
Wisam
Zervigon
Prayer

Prayer was offered by Delegate Alexander.

Pledge of Allegiance

Delegate Carmouche led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Abraham, the reading of the Journal was dispensed with.

On motion of Delegate Abraham, the Journal of yesterday was adopted.

Morning Hour

Reports of Committees Lying Over

Delegale and Committee
Proposals on Second Reading
Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 12—
Introduced by Delegate Dennery:

A PROPOSAL

To provide for uniform compensation to members of all state boards, commissions, and authorities.

Read.

Reported with the following amendments by the Committee on the Executive Department.

COMMITTEE AMENDMENT

Amendment proposed by Committee on the Executive Department to Delegate Proposal No. 12 by Delegate Dennery.

Amend printed Proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 7 through 12, both inclusive, in their entirety and in lieu thereof the following:

"Section 1. The legislature may provide that unsalaried members of any state board, commission, or authority may be compensated for each day devoted to the work of the board, commission, or authority. The amount of compensation, if any, shall be determined by the legislature, and shall be the same for the members of all such boards, commissions, or authorities."

On motion of Delegate Dennery the amendment was adopted.

On motion of Delegate Dennery the Proposal, as amended, was ordered engrossed and passed to its third reading.

DELEGATE PROPOSAL No. 21—

Introduced by Delegate Schmitt:

A PROPOSAL

Providing for a commissioner of consumer affairs.

Read.

Reported without action by the Committee on the Executive Department.

On motion of Delegate Stagg the Proposal was withdrawn from the files of the Convention.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:
COMMITTEE PROPOSAL No. 33—

Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate Jackson, Chairman on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss):

A PROPOSAL

Making general provisions for elections.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 12 and 13, and immediately below Section 1 as added by Floor Amendment No. 1 by Delegate Gravel proposed and adopted by the Convention on October 5, 1973, insert the following section:

"Section 2. Election Code; Right to Vote

Section 2. Subject to and not inconsistent with the provisions of this constitution, the legislature shall adopt an election code which shall provide for the permanent registration of voters and for the conduct of all elections; except as otherwise provided in this constitution, the right to vote in elections is guaranteed to all citizens of this state."

Delegate Gravel moved the adoption of the amendment.

Delegate LeBleu objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Elkins
Flory
Fontenot
Fowler
Fulco
Gauchier
Garruso
Goldman
Gravel
Grier
Hayes
Haynes
Heine
Henderson
Jack
Jackson, A.
Jenkins
Juneau
Lambert
Landrum
Landy, E. J.
Lanier
Leigh
Lennox
Low
Martin
Mauberret
Miller
Mire
Munson
Newton
Nunez
O'Neill
Planchar
d
Rachal
Rayburn
Reeves
Riecke
Roobinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singletary
Smith
Sonti
Stagg
Sutherland
Tate
Thistlethwaite
Toca
Ulo
Velasquez
Vesich
Vick
Wall
Warren
Wattigny
Willis
Winchester
Wisham
Zervigon

NAYS

Delegates—
Kilbourne
LeBleu
Total—5.

DELEGATES

Berry
Hardee
Blair
Jackson, J.
Bollinger
Kean
Brown
Kelly
Burns
Kilpatrick
Dennery
Landry, A.

NOT VOTING

Delegates—
Stinson
Toomy

NAYS

Delegates—
Brown
Stinson
Total—3.

NOT VOTING

Delegates—
Berry
Dennis
Blair
Drew
Bollinger
Fayard
Brown
Ginn
Burns
Guarisco
Dennery
Hardee

Delegates—
Jackson, J.
Kean
Kelly
Kilpatrick
Landry, A.
LeBleu

NAYS

Delegates—
Stinson
Toomy

NOT VOTING

Delegates—
Kilbourne
LeBleu
Total—5.
Leithman       Pugh       Tapper
McDaniel       Silverberg   Thompson
Oursu          Slay        Tobin
Perez          Stephenson   Weiss
Perkins        Stovali     Womack

Total—33.

And the Chair declared that the above Section was passed.

Delegate Gravel moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Gravel moved to call from the table the motion to reconsider the vote by which Committee Proposal No. 33, New Section 1, which was added by floor amendment, was passed.

Delegate Stinson objected.

By a vote of 25 yeas and 1 nay the motion to reconsider was called from the table.

On motion of Delegate Gravel the vote by which Committee Proposal No. 33, New Section 1, was passed, was reconsidered.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 12 and 13, delete Floor Amendment No. 1 proposed by Delegates Gravel and Burson and adopted by the Convention on October 5, 1973.

On motion of Delegate Gravel the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 2. Registration of Voters

Section 2. The legislature shall provide for registration of voters, embodying the principle of permanent registration.

Read.

Delegate Abraham sent up floor amendments which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Abraham to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, on line 18, immediately after "Section 2." strike out the remainder of the line and strike out lines 19 and 20, in their entirety, and insert in lieu thereof the following:

"Registration; Declaration of Party Affiliation Not Required"

AMENDMENT No. 2—

On page 1, line 17, immediately after "Section 2." strike out the remainder of the line and insert in lieu thereof the following:

"Registration; Declaration of Party Affiliation Not Required"

Motion

Delegate A. Jackson moved the previous question on the amendment.

Delegate Stagg objected.

By a vote of 24 yeas and 58 nays the Convention refused to order the previous question.

Delegate Abraham moved the adoption of the amendment.

Delegate Munson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Abraham       Goldman       Schmitt
Alario         Jenkins       Stagg
Arnette        Lennox       Sutherland
Conroy         Miller

Total—11.

NAYS

Aerker          Fulco          Perkins
Alexander      Gauthier      Plancharde
Anzalone       Giarrusso     Raehle
Asess          Glen          Rayburn
Avant          Gravel        Reeves
Badeaux        Grier         Riecke
Bel            Guarisco      Robinson
Bergeron       Hayes         Roemer
Brien          Haynes        Roy
Burson         Heine         Sandoz
Cannon         Hernandez     Segura
Carmouche      Jack          Shannon
Casey          Jackson, A.    Singletary
Champagne      Jackson, J.    Smith
Chatelain      Juneau        Soniat
Chehardy       Kean          Stinson
Comar          Kelly         Tapper
Conino         Kilbourne     Tate
Corne          Lambert       Toca
Cowen          Landrum       Toomy
D’Gerolamo     Landry, E. J.  Ullo
De Bleeck       Lanier
Dennis          LeBleu
Derbes          Leigh
Deshotels      Lowe          Velazquez
Dunlop          Lowe          Vesich
Duval          Martin        Viek
Edwards        Mauberret     Warren
Elkins          Mere         Wattigny
Flory          Munson        Willis
Fontenot       Newton        Winchester
Fowler         Nutz          Wieman
O’Neill

Total—94.

NOT VOTING

Delegates—
Mr. Chairman       Hardee       Slay
Berry            Kilpatrick   Stephenson
Blair            Landry, A.    Stovali
Bollinger       Leithman       Thistlewaite
Brown            McDaniel      Thompson
Burns            Oursu         Tobias
Denney          Perez         Wall
Drew            Pugh          Weiss
Fayard          Silverberg   Womack

Total—27.

And the amendment was rejected.

Delegate Munson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Newton sent up a floor amendment, which was read as follows:

604
FLOOR AMENDMENT
Amendment proposed by Delegate Newton to Committee Proposal No. 33 by Delegate Jackson, et al.
Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, strike out lines 17 through 20, both inclusive, in their entirety.
On motion of Delegate Newton the amendment was adopted.
Delegate Newton moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 3. Secret Ballot
Section 3. Voting shall be by secret ballot, and the legislature shall provide a method for absentee voting. Proxy voting shall be prohibited. All ballots cast shall be counted publicly and preserved inviolate until any election contests have been settled.

Read.
Delegate A. Landry sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate A. Landry to Committee Proposal No. 33 by Delegate Jackson, et al.
Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, line 25, immediately after the word “inviolate” and before the word “until” insert the words “as provided by law”
On motion of Delegate Lanier the amendment was adopted.
Delegate Lanier moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Duval sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Duval to Committee Proposal No. 33 by Delegate Jackson, et al.
Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, line 22, immediately after “Section 3,” strike out the word “Voting” and insert in lieu thereof “In all elections by the people, voting” and between lines 25 and 27, insert the following paragraph:

“In all elections by persons in a representative capacity, the vote shall be viva-voce.”

Delegate Duval moved the adoption of the amendment.
Delegate Tapper objected.

By a vote of 93 yeas and 5 nays the amendment was adopted.
Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Explanation of Vote
Delegate De Blieux sent up the following Explanation of Vote with respect to the proposed amendment to Section 3 of Committee Proposal No. 33 by Delegate Duval.

“I have voted against the amendment because I believe this is not the place for this particular provision in our Constitution.”

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Avant to Committee Proposal No. 33 by Delegate Jackson, et al.
Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, line 23, immediately after the word “voting” and before the period “.” insert the following:

“only by members of the armed forces of the United States and their spouses and children living with them”

Delegate Avant moved the adoption of the amendment.
Delegate Roy objected.

By a vote of 23 yeas and 78 nays the amendment was rejected.
Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Sandoz sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Sandoz to Committee Proposal No. 33 by Delegate Jackson, et al.
Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, delete lines 21 through 26, both inclusive, in their entirety including all amendments thereto and between lines 26 and 27 strike out the language added by Floor Amendment No. 1 proposed by Delegate Duval and adopted by the Convention on October 6, 1973.

Delegate Sandoz moved the adoption of the amendment.
Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham Arnette Cannon Champagne Chatelein Chehardy Cowen De Blieux Dennis Derbes Deshotels Elkins Total—34.

Fayard Glenn Gravel Heline Hernandez Kean LeBlue Lennox Lowe Maubertet Nunez Ousso Perkins Reeves Robinson Sandoz Segura Stagg Tapper Thistlethwaite Wattigny Willis

NAYS

Delegates—
Aeriker Alario Alexander Anzalone Assef Avant Badeaux Bel Bergeron Bursin Carmonache Casey Comar Conion Conroy Corne D’Geraldo

Duniap Duval Flory Fontenot Fowler Fuclo Gauthier Goldman Grier Guarisco Hayes Jack Jackson, A. Jackson, J. Jenkins Juneau Kelly

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Soniat
Stinson
Sutherland
Tate
Total—63.

Delegates—
Mr. Chairman
Berry
Blair
Bollinger
Brown
Burns
Denney
Drew
Edwards
Giarrusso
Hardee
Total—35.

NOT VOTING
Haynes
Kilbourne
Lambert
Landry, A.
Leithman
McDaniel
Miller
Munson
Perez
Pugh
Rayburn
Silverberg

Slay
Smith
Stephenson
Stoval
Thompson
Tobias
Toca
Vesich
Wall
Weiss
Womack

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Gravel to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 24, immediately after the word “publicly” and before the word “and” insert a period “,” and delete the remainder of the line including all Convention Floor Amendments thereto and delete line 29 in its entirety.

Delegate Gravel moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aerkker
Alexander
Anzalone
Avant
Badeaux
Bren
Burson
Casey
Champagne
Chatelain
Chehardy
Conroy
De Blieux
Dennis
Total—40.

Derbes
Fayard
Flory
Fulco
Giarrusso
Ginn
Gravel
Guarisco
Kean
Landry, E. J.
Lennox
Lowe
Mire
Newton
Nunez
Perkins
Reeves
Sandoz
Schmitt
Segura
Singletary
Tapper
Tate
Thistlewaite
Toomy
Wattigny

NAKS

Delegates—
Abraham
Alario
Arnette
Asseff
Bel
Bergeron
Cannon
Carmouche
Comar

Conino
Corne
Coven
D’Gerolamo
Dunlap
Duval
Elkins
Fontenot

Fowler
Gauthier
Goldman
Grier
Hayes
Heine
Hernandez
Jackson, A.

Stinson
Sutherland
Toca
Ulo
Velasquez
Vick
Warren
Willis
Winchester
Wisdom
Zervigon

NOT VOTING
Lambert
Landry, A.
LeBlanc
Leithman
McDaniel
Miller
Munson
Perez
Pugh
Rayburn
Silverberg

Slay
Smith
Stephenson
Stoval
Thompson
Tobias
Vesich
Wall
Weiss
Womack

And the amendment was rejected.

Delegate Nunez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 33, Section 3, was read, as amended.

Delegate Roy moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aerkker
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Bren
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Coven
D’Gerolamo
Dennis
Derbes
Dunlap
Duval
Elkins
Fayard
Flory
Fontenot

Fowler
Fulco
Gauthier
Gauiter
Goldman
Grier
Hayes
Heine
Hernandez
Jackson
Kean
Lennox
Lowe
Martin
Maukerret
Mire
Newton
Nunez
O’Neill
Oursou
Plancharb
Racahl
Riecke
Robinson
Roemer
Roy
Shannon
Soniat
Stagg
Stinson
Sutherland
Toca
Ulo
Velasquez
Vick
Warren
Willis
Winchester
Wisdom
Zervigon

NOT VOTING

Delegates—
Alario
Berry
Blair

Total—97.

Delegate De Blieux
Total—1.

NOT VOTING
And the Chair declared that the above Section was passed.

Delegate Roy moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 4. Residence of Electors

Section 4. No elector shall lose a bona fide residence by temporary absence due to any employment, including military service, or while studying or visiting away from his voting district.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sandoz to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 27 through 31, both inclusive, in their entirety.

Delegate Sandoz moved the adoption of the amendment.

Delegate Roy objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Abraham Elkins Maubert
Alario Fayard Mire
Anzalone Fonlerot Newton
Arnette Fowler Nunez
Badeaux Gauthier Ouzo
Bel Ginn Perkins
Bergeron Gravel
Burson Grier
Cannon Heine
Carmouche Hernandez
Casey Juneau
Champagne Kean
Chateilain Kelly
Chehardy Kilbourne
Corinon Kilpatrick
Corney Lanier
Coats LeBlieu
Derbes Leigh
De Gérolamo Lennox
Del Bieux Lowe
Duval Martin

Total—63.

**NAYS**

Delegates—
Aertker Avant
Alexander Cowen
Assef Dunlap

Total—59.
Delegate Derbes moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Kean, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Leaves of Absence**

Delegate Thompson—1 day.
Delegate McDaniel—1 day.
Delegate Deshotels—1 day.
Delegate A. Landry—1 day.
Delegate Denney—1 day.
Delegate Burns—1 day.
Delegate Blair—1 day.
Delegate Weiss—1 day.
Delegate Tobias—1 day.

**Adjournment**

Delegate Chatelain moved that the Convention do now adjourn until Tuesday, October 9, 1973, at 1:00 o'clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Tuesday, October 9, 1973, at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman — Fuico — Planchard
Abraham — Gauthier — Rayburn
Acker — Ginn — Reeves
Alario — Goldman — Riecke
Anzalone — Gravel — Robinson
Arnette — Grier — Roy
Aseff — Guarisco — Sandoz
Avant — Hardee — Schmitt
Badeaux — Hayes — Shannon
Bergeron — Haynes — Singletary
Blair — Heine — Slay
Bollinger — Jackson, A. — Smith
Brien — Jackson, J. — Solomon
Brown — Jenkins — Stagg
Burns — Juneau — Stephens
Burson — Kean — Stovall
Cannon — Kelly — Sutherland
Carmouche — Kilpatrick — Tapper
Casey — Landrum — Tate
Champlin — Landry, A. — Thistlethwaite
Chehardy — Landry, E. J. — Thompson
Combs — Lanier — Toledano
Conino — LeBlanc — Toye
Conroy — LeBlanc — Trea
Corne — Lennox — Toomy
Cowan — Lowe — Ullo
De Blieux — Martin — Velazquez
Deen — Maubrec — Vech
Derbes — Miller — Vickers
Dunlap — Mire — Wall
Duval — Munson — Warren
Elkins — Newton — Wattigny
Fayard — Nunez — Willis
Flory — O'Neil — Winchester
Fontenot — Perez — Wisham
Fowler — Perkins — Zervigon

Delegates—
Alexander — Pugh
Bel — Hernandez — Pugh
Berry — Jack — Pugh
D'Gerolamo — Lambert — Pugh
Dennis — Leigh — Pugh
Deshotel — McDaniel — Pugh
Drew — Ones — Pugh
Edwards — Perkins — Pugh

Total—110.

ABSENT

Delegates—
Giarrusso — Pugh
Deed — Hernandez — Pugh
Bel — Jack — Pugh
Berry — Lambert — Pugh
D'Gerolamo — Leigh — Pugh
Dennis — McDaniel — Pugh
Deshotel — Ones — Pugh
Drew — Perkins — Pugh
Edwards — Perkins — Pugh

Total—22.

The Chairman announced that there were 110 members present and a quorum.
COMMITTEE PROPOSAL No. 33—
Introduced by Delegate Jackson, Chairman, Committee on Bill of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate Jackson, Chairman on behalf of the Committee on Bill of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss);

A PROPOSAL
Making general provisions for elections.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 33, when it adjourned on Saturday, October 6, 1973, which was taken up and acted upon as follows:

Section 6. Privilege from Arrest

Section 6. Every qualified elector shall be privileged from arrest in going to and returning from voting and while exercising the right to vote in all cases, except felony or breach of the peace.

Read.

Passage

Delegate Vick moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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</thead>
<tbody>
<tr>
<td>Fowler</td>
<td>Munson</td>
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<td>Fulco</td>
<td>O'Neill</td>
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<td>Gauthier</td>
<td>Planchard</td>
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<td>Ginn</td>
<td>Riecke</td>
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<td>Goldman</td>
<td>Roemer</td>
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<td>Graham</td>
<td>Sandoz</td>
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<td>Gravel</td>
<td>Schmitt</td>
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<td>Hardee</td>
<td>Shannon</td>
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<td>Haynes</td>
<td>Singletary</td>
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<td>Heine</td>
<td>Smith</td>
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<td>Jackson, A.</td>
<td>Soniat</td>
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<td>Jenkins</td>
<td>Stagg</td>
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<td>Juneau</td>
<td>Stovall</td>
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<td>Kean</td>
<td>Sutherland</td>
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<td>Kelly</td>
<td>Tate</td>
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<td>Kilbourne</td>
<td>Thistlewaite</td>
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<td>Kilpatrick</td>
<td>Tobias</td>
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<td>Landry, A.</td>
<td>Toca</td>
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<td>Landry, E. J.</td>
<td>Toomy</td>
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<td>Lanier</td>
<td>Velazquez</td>
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<tr>
<td>LeBlou</td>
<td>Vick</td>
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<td>Leithman</td>
<td>Warren</td>
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<td>Lennox</td>
<td>Wattigny</td>
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<tr>
<td>Lowe</td>
<td>Willis</td>
</tr>
<tr>
<td>Martin</td>
<td>Winchester</td>
</tr>
<tr>
<td>Mauberret</td>
<td>Zervigon</td>
</tr>
<tr>
<td>Total—78.</td>
<td></td>
</tr>
</tbody>
</table>

Delegates—
Mr. Chairman
Abraham
Alario
Anzalone
Arnette
Assett
Avant
Badeaux
Bergeron
Bollinger
Brien
Burns
Barson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conino
Conroy
Corne
Dunlap
Elkins
Flory
Fontenot
Total—78.

Delegates—
Aertker
Aertker
Alario
Anzalone
Arnette
Avant
Badeaux
Bergeron
Blair
Brien
Burns
Barson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
De Blieux
Dennerly
Total—67.

Delegates—
Not VOTING
Deshotels | Landrum |
Drew | LeBlou |
Duval | McDaniel |
Edwards | Miller |
Fayard | Mire |
Giarrusso | Newton |
Grier | Nunez |
Guarisco | Ousso |
Perez | Perkins |
Hernandez | Pugh |
Jack | Rachal |
Jackson, J. | Rayburn |
Lambert | Total—20. |

Delegates—
Mr. Chairman
Alexander
Bel
Berry
Derbes
Brown
Total—54.

And the Chair declared that the above Section was passed.

Delegate Vick moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 7. Candidacy for Public Office

Section 7. No qualified elector shall be denied the right to seek public office in the election district in which he is registered, except as otherwise provided in this constitution.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Sandoz to Committee Proposal No 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 11 through 15, both inclusive, in their entirety.

Delegate Sandoz moved the adoption of the amendment.

Delegate Warren objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
<td>Hayes</td>
</tr>
<tr>
<td>Alario</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Arnette</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Avant</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Lanier</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Leithman</td>
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<tr>
<td>Blair</td>
<td>Lennox</td>
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<td>Brien</td>
<td>Lowe</td>
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<td>Burns</td>
<td>Martin</td>
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<tr>
<td>Barson</td>
<td>De Blieux</td>
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<tr>
<td>Cannon</td>
<td>Dennery</td>
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<tr>
<td>Carmouche</td>
<td>Total—67.</td>
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<tr>
<td>Casey</td>
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<tr>
<td>Champagne</td>
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<td>Chatelain</td>
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<td>Chehardy</td>
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<td>Conroy</td>
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<td>Corne</td>
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<tr>
<td>De Blieux</td>
<td></td>
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<tr>
<td>Dennery</td>
<td></td>
</tr>
<tr>
<td>Total—78.</td>
<td></td>
</tr>
</tbody>
</table>

Delegates—
Mauberret
Mire
Munson
Newton
Planchard
Rayburn
Sandoz
Schmitt
Shannon
Singletary
Stagg
Stovall
Sutherland
Tate
Thistlewaite
Tobias
Toca
Toomy
Velazquez
Vick
Warren
Wattigny
Wills
Winchester
Zervigon

Delegates—
Hayes | Roemer |
Jackson, A. | Smith |
Jenkins | Soniat |
Landry | Velazquez |
LeBlou | Vick |
Fowler | Warren |
Goldman | Total—20. |

Delegates—
Not VOTING
Deshotels | Cowen |
D'Gerolamo | D'Gerolamo |
Dennis | Edwards |
Derbes | Fayard |
Berry | Giarrusso |
Bel | Total—54. |

610
And the amendment was adopted.

Delegate Sandoz moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Section 8. Vote Required for Election**

Section 8. No person shall be elected to any public office unless he has received the highest number of votes cast for that office. The legislature shall provide a method for breaking ties.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sandoz to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 16 through 20, both inclusive, in their entirety.

Delegate Sandoz moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham

Alario

Anzalone

Arnette

Avant

Badeaux

Bergeron

Blair

Bollinger

Brien

Burns

Burson

Carmouche

Casey

Champagne

Chatelain

Chehardy

Comar

Conino

Conroy

Corne

De Blieux

Denner

Elkins

Total—70.

Kilpatrick

Landrum

Lowe

O'Neill

Riecke

Smith

Soniat

Velasquez

Vick

Warren

NOT VOTING

Delegates—

Mr. Chairman

Alexander

Bel

Berry

Brown

Coven

D'Gerolamo

Dennis

Derbes

Deshots

Drew

Duval

Edwards

Fayard

Total—45.

And the amendment was adopted.

Delegate Sandoz moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Section 9. Limitation on Term of Office**

Section 9. No term for any public office elected by the people shall exceed four years, except as otherwise provided in this constitution.

Read.

Delegate Casey sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Casey and Sutherland to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 21 through 24, both inclusive, in their entirety

Delegate Sandoz moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham

Aerkner

Alario

Anzalone

Arnette

Asself

Avant

Badeaux

Bergeron

Blair

Bollinger

Brien

Burns

Burson

Carmouche

Casey

Champagne

Chatelain

Chehardy

Comar

Conino

Conroy

Corne

De Blieux

Denner

Elkins

Total—70.
Sutherland  Toca  Wattigny
Tapper  Toomy  Willis
Tate  Ullo  Winchester
Thistletwaite  Velazquez  Zervigon
Tobias
Total—82.

Delegates—
Dunlap  Landrum  Thompson
Haynes  Roemer  Vick
Jackson, A.  Soniat  Warren
Jenkins
Total—10.

Delegates—
Mr. Chairman  Grier  Perkins
Alexander  Guarisco  Pugh
Bel  Hardee  Rachal
Berry  Hernandez  Roy
Brown  Jack  Segura
D’Gerolamo  Lambert  Slay
Dennis  Leigh  Stephenson
Derbes  McDaniel  Stinson
Deshotels  Mauberret  Vesich
Drew  O’Neill  Wall
Duval  Ourse  Weiss
Edwards  Ourse  Wisham
Fayard  Perez  Womack
Girrussi  Total—40.

And the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 10. Prohibited Use of Public Funds

Section 10. No public funds shall be used to urge any elector to vote for or against any candidate, nor appropriated to any candidate or political organization.

Read.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by delegates Avant and Lennox to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 27, immediately after the word “candidate,” and before the comma “,” insert the words “or proposition”.

On motion of Delegate Avant the amendment was withdrawn.

Delegate Avant sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by delegates Avant and Lennox to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, line 27, immediately after the word “candidate,” and before the comma “,” insert the words “or proposition”.

AMENDMENT No. 2—

On page 2, line 28, immediately after the word and punctuation “organization,” add the following:

“The legislature shall pass laws to implement this prohibition.”

Delegate Avant moved the adoption of the amendments.

Delegate Leithman objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Arnette  Guarisco  Reeves
Asseff  Hardee  Shannon
Avant  Jenkins  Slay
Bergenon  Juneau  Slagg
Bollinger  Kelly  Stephenson
Casey  Kilbourne  Sutherland
Comar  Kilpatrick  Tapper
Crowen  LeBlanc  Thompson
Dunlap  Lennox  Velazquez
Elkins  Mauberret  Vesich
Fayard  Miller  Vick
Flory  Munson  Wall
Fontenot  Newton  Wattigny
Ginn  Nunez  Willis
Gravel  O’Neill  Winchester
Graham  Perkins  Zervigon

Total—48.

NAYS

Delegates—

Abraham  Fowler  Rayburn
Aeriker  Fulco  Rieke
Alario  Gauthier  Robinson
Anzalone  Goldman  Roemer
Badeaux  Hayes  Roy
Blair  Heine  Sandor
Brien  Jack  Schmitt
Burns  Jackson, A.  Singletary
Burson  Jackson, J.  Smith
Cannon  Kean  Soniat
Carmouche  Landrum  Stovall
Champagne  Landry, A.  Tate
Chatelain  Landry, E. J.  Thistletwaite
Chehardy  Lanier  Tobias
Conino  Leithman  Toen
Conroy  Lowe  Tommy
Corne  Martin  Ullo
De Blieux  Mire  Warren
Denery  Perez  Wisham
Derbes  Planchard  Total—59.

NOT VOTING

Delegates—

Mr. Chairman  Duval  McDaniel
Alexander  Edwards  Ourse
Bel  Girrussi  Ourse
Berry  Grier  Pugh
Brown  Haynes  Rachal
D’Gerolamo  Hernandez  Segura
Dennis  Lambert  Stinson
Deshotels  Leigh  Weiss
Drew  Total—25.

And the amendments were rejected.

Delegate Aeriker moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 25 through 28, both inclusive, in their entirety.

Delegate De Blieux moved the adoption of the amendment.

Delegate Arnette objected.

By a vote of 68 nays, 35 nays the amendment was adopted.

612
Delegate De Bileux moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 11. Registrars of Voters

Section 11. The governing authority of each parish shall appoint a parish registrar of voters who shall provide such bond and receive such compensation as may be determined by law. No person shall serve as registrar of voters while a qualified candidate for any elective office.

Read.

Delegate Reeves sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Ginn and Reeves to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 30 through 32, both inclusive, in their entirety and on page 3, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"Section 11. The governing authority of each parish shall appoint a parish registrar of voters, whose compensation, term of office, powers and functions, and bond shall be provided for in the election code. No person shall serve as registrar of voters who has qualified as a candidate for elective office."

On motion of Delegate Ginn the amendment was withdrawn.

Delegate Ginn sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Ginn and Reeves to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 30 through 32, both inclusive, in their entirety and on page 3, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"Section 11. The governing authority of each parish shall appoint a parish registrar of voters, whose compensation, term of office, powers and functions, and bond shall be provided for in the election code. No person shall serve as registrar of voters who has qualified as a candidate for elective office."

Delegate Reeves moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 50 yeas and 55 nays the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Tobias to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 29 through 32, both inclusive, in their entirety and on page 3, delete lines 1 and 2 in their entirety.

Delegate Tobias moved the adoption of the amendment.

Delegate Kelly objected.

By a vote of 5 yeas and 87 nays the amendment was rejected.

Delegate Slagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Roy moved that the Convention defer further action on this Section at this time.

Delegate Lennox objected.

By a vote of 84 yeas and 15 nays the Convention deferred further action on Section 11, at this time.

Section 12. Commissioners and Poll Watchers

Section 12. The legislature shall provide for the selection of commissioners and poll watchers at every election.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sandoz to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 3 through 5, both inclusive, in their entirety.

Delegate Sandoz moved the adoption of the amendment.

Delegate Jenkins objected.

By a vote of 74 yeas and 22 nays the amendment was adopted.

Delegate Sandoz moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Section 13. Election Returns**

Section 13. Returns of elections shall be made in a uniform manner to and promulgated by the secretary of state.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sandoz to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 6 through 8, both inclusive, in their entirety.

Delegate Sandoz moved the adoption of the amendment.

Delegate Roy objected.

By a vote of 84 yeas and 17 nays the amendment was adopted.

Delegate Sandoz moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Section 14. Registration Challenges**

Section 14. A person may contest in the district court his denial of registration, or denial of his request to have removed from the rolls any names placed or standing therein illegally, which cases shall have preference over all others.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

613
Section 15. Election Contests
Section 15. The legislature shall provide by law for the judicial determination of contested elections.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Sandoz to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 9 through 14, both inclusive, in their entirety.

Delegate Sandoz moved the adoption of the amendment.
Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—

Fowler
Fulco
Gauthier
Ginn
Graham
Gravel
Grier
Hernandez
Juneau
Kelly
Kilbourne
Kilpatrick
Landry, A.
Landry, E. J.
Leon
Lemoyne
Lowe
Martin
Maurerret
Mire
Newton
Nunez
Perez
Perkins
Planchard
Rayburn
Reeves
Riecke
Roemer
Sandoz
Schmitt
Shannon
Singletary
Slay
Smith
Stagg
Stovall
Sutherland
Tapper
Tate
Thistledewihe
Tobin
Toca
Toomy
Ullo
Vesich
Wattigny
Willis
Winchester
Zervigon

NAYS

Delegates—

Guarisco
Hardee
Jackson, A.
Jackson, J.
Jenkins
Landrum
Landry, E. J.

O’Neill
Robinson
Roy
Soniat
Thompson
Vick
Warren

NOT VOTING

Delegates—

Edwards
Garruso
Hayes
Haynes
Heine
Jack
Kean
Lambert
Leigh
McDaniel
Miller
Munson
Ourso
Pugh
Rachal
Segura
Sinson
Velazquez
Wall
Weis
Wisham
Womack

Mr. Chairman
Aertker
Alexander
Bel
Berry
Brown
Chehardy
D’Gerolamo
Deshotels
Drew

Guarisco
Hayes
Haynes
Heine
Hernandez
Jack
Kean
Lambert
Landrum
McDaniel

Miller
Munson
Ourso
Pugh
Rachal
Segura
Sinson
Velazquez
Wall
Weis
Wisham
Womack

NOT VOTING

Mr. Chairman
Aertker
Alexander
Bel
Berry
Brown
Chehardy
D’Gerolamo
Deshotels
Drew

Guarisco
Hayes
Haynes
Heine
Hernandez
Jack
Kean
Lambert
Landrum
McDaniel

Miller
Munson
Ourso
Pugh
Rachal
Segura
Sinson
Velazquez
Wall
Weis
Wisham
Womack
Section 16. Election Fraud

Section 16. No person shall register and vote in more than one place, nor offer or receive anything of value in exchange for a vote, nor engage in any other form of election fraud. The legislature shall enact laws to suppress such activities, and penalties in such cases may include suspension of the right to vote and hold office for a period not to exceed five years.

Read.

Delegate Sandoz sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Sandoz to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 18 through 25, both inclusive, in their entirety.

Delegate Sandoz moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Abraham
Elkins
Planchard
Rayburn
Read
Reeves
Roemer
Roy
Sandog
Schmitt
Shannon
Singletary
Slag
Stagg
Stovall
Sutherland
Tapper
Tate
Thistlewhait
Thompson
Tobias
Toca
Toomy
Ullo
Vesci
Watigny
Wills
Winchester
Zerrigon

NAYS

Hayes
Jackson, A.
Riecke
Robinson
Jackson, J.
Smith
Jenkins
Soniat
Kirbourn
Stephenson
Landrum
Vick
O'Neill
Warren

NOT VOTING

Berry
Brown
Deshotels
Dew
Brown
D'Gerolamo
Edwards
Dennis
Giarruso
The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Pugh—1 day.
Delegate Jack—1 day.
Delegate D'Gerolamo—8 days.
Delegate Giarrusso—1 day.
Delegate Stinson—1 day.
Delegate McDaniel—2 days.
Delegate Rachal—5 days.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Wednesday, October 10, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, October 10, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
ROLL CALL

The roll being called, the following delegates answered to their names:

**PRESENT**

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<thead>
<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fowler</td>
<td>O'Neil</td>
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**ABSENT**

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The Chairman announced that there were 120 members present and a quorum.
On motion of Delegate Kelly the amendment was withdrawn.

Delegate Kelly sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Kelly, Ginn, Roemer, Gravel, Reeves and Juneau to Committee Proposal No. 33 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 30 through 32, both inclusive, in their entirety and on page 3, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"Section 11. Subject to and not inconsistent with the provisions of this constitution, the governing authority of each parish shall appoint a parish registrar of voters, whose compensation, removal from office for cause, bond, powers, and functions shall be provided by law. Upon qualifying as a candidate for public office, the registrar of voters shall forfeit his office. No law shall provide for the removal of a registrar by the appointing governing authority."

Delegate Kelly moved the adoption of the amendment.

Delegate Gravel objected.

By a vote of 64 yeas and 38 nays the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Cannon sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Cannon to Committee Proposal No. 33 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, in Convention Floor Amendment No. 1 proposed by Mr. Kelly, et al., and adopted the Convention on October 18, 1973, strike out lines 8 and 9 of the language added thereby and insert in lieu thereof the following:

"The registrar may be removed from office, for cause, only by the governing authority of the parish."

Delegate Cannon moved the adoption of the amendment.

Delegate Kelly objected.

By a vote of 41 yeas and 59 nays the amendment was rejected.

Delegate Kelly moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 33, Section 11, was read, as amended.

Delegate Roy moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<td>Mr. Chairman</td>
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**CHAMPAGNE**

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**NAYS**

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<td>Asseff</td>
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<td>Total</td>
<td>24</td>
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**NAYS**

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<th>Delegate</th>
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<td>Delegates</td>
<td>Alario</td>
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<td>Abrego</td>
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<td>Haynes</td>
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<td>Jackson, J.</td>
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<td>Total</td>
<td>19</td>
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And the Chair declared that the above Section was passed.

Delegate A. Jackson moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Avant, Riecke, Carmouche, Jenkins, Vick and Bollinger to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 29, add the following:

"Section 18. Prohibited Use of Public Funds

Section 18. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, nor appropriated to any candidate or political organization. However, this provision shall not prohibit the dissemination of factual information relative to any proposition appearing on an election ballot."

Delegate Avant moved the adoption of the amendment.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:
Delegate Avant, et al., adopted by the Convention on October 10, 1973, on line 6 of said amendment, after the words “shall not prohibit” and before the words “the dissemination” insert the words “the use of public funds for”.

Delegate Juneau moved the adoption of the amendment. Delegate Stinson objected.

By a vote of 91 yeas and 3 nays the amendment was adopted.

Delegate Juneau moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Derbes to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 28, in Floor Amendment No. 1 proposed by Delegate Avant, et al. and adopted by the convention on October 10, 1973, at the end of line 8 of said amendment after the word and punctuation “ballot” add the following sentence:

“Any elector shall have standing to contest an expenditure of funds prohibited by this Section.”

On motion of Delegate Derbes the amendment was withdrawn.

Delegate Derbes moved the adoption of the amendment. Delegate Avant objected.

By a vote of 38 yeas and 50 nays the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 33, Section 18, was read, as amended. Delegate Avant moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate Avant, et al., adopted by the Convention on October 10, 1973, on line 6 of said amendment, after the words “shall not prohibit” and before the words “the dissemination” insert the words “the use of public funds for”.

Delegate Juneau moved the adoption of the amendment. Delegate Stinson objected.

By a vote of 91 yeas and 3 nays the amendment was adopted.

Delegate Juneau moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Juneau to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 28, in Floor Amendment No. 1 proposed by
Page 4

64th Days Proceedings—October 10, 1973

NAYS

Delegates—
Aetker  Fayard  Newton
Asseff  Gauthier  Slav
Badeaux  Grier  Soniat
Chatelain  Heine  Tate
Conre  Jackson, A.  Tobias
Cowan  Landry, A.  Toca
De Blieux  Lowe  Toomy
Denney  Martin  Willis
Derbes  Mire
Total—26.

NOT VOTING

Delegates—
Berry  Haynes  Perkins
Blair  Kean  Rachal
Champagne  Kelly  Segura
D’Gerolamo  Lambert  Wall
Drew  McDaniell  Weiss
Edwards  Ours  Womack
Fowler  Total—19.

And the Chair declared that the above Section was passed.

Delegate Avant moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 29, add the following:
"Section 19, Citizenship
Section 19. A person who is not a citizen of the United States shall not be a citizen of this state."

On motion of Delegate Conroy the amendment was withdrawn.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 33 by Delegate Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 29, add the following:
"Section 19, Citizenship
Section 19. A person who is not a native born or naturalized citizen of the United States shall not be a citizen of this state."

Delegate Conroy moved the adoption of the amendment.
Delegate Denney objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario  Bollinger  Corne
Arnette  Cannon  Cowen
Badeaux  Chatelain  Duval
Bel  Comar  Elkins
Bergeron  Conroy  Fontenot

LeBleu  Leigh  LeBlanc
Gauthier  Lowe  Martin
Grier  Mire  Newton
Hardee  Nunez  O’Neill
Hayes  Perkins  Reeves
Hernandez  Riecke  Robinson
Lenier  Total—53.

NAYS

Delegates—
Abraham  Aetker  Fayard
Aetker  Flory  Pugh
Alexander  Gauthier  Flor
Anzalone  Giarroso  Fowler
Asseff  Ginn  Gallin
Avant  Goldman  Gravel
Blair  Guarisco  Gravel
Brien  Heine  Guarisco
Brown  Jackson, A.  Gravel
Burns  Jackson, J.  Kilpatrick
Burson  Landrum  King
Carmouche  Lemoux  Landrum
Casey  Mauberret  Lemoux
Chehardy  McDaniel  Mauberret
Coninio  Miller  McDaniel
D’Gerolamo  Monson  Miller
De Blieux  Perkins  Monson
Dennis  Perkins  Munson
Deshots  Perkin  Munson
Dunlap  Planehard  Munson
Total—60.

NOT VOTING

Delegates—
Mr. Chairman  Haynes  Rachal
Berry  Kean  Segura
Champagne  Kelly  Sibson
D’Gerolamo  Lambert  Wall
Derbes  McDaniell  Weiss
Drew  Ours  Womack
Edwards  Total—19.

The amendment not having received a majority vote of the membership of the Convention, necessary to pass a Section to a Proposal, failed to pass.

Delegate Denney moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 33 by Delegate A. Jackson, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 29, add the following:
"Section 19. Change of Domicile or Residence
Section 19. Whenever any elected public official changes his domicile or residence from that required by this constitution as a qualification for election to the office, such office shall thereby be vacated."

Delegate Conroy moved the adoption of the amendment.
Delegate Gravel objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham  Bollinger  Comar
Alario  Bollinger  Comar
Arnette  Cannon  Cowen
Badeaux  Chatelain  Corne
Bel  Comar  Elkins
Bergeron  Conroy  Fontenot

LeBleu  Leigh  LeBlanc
Gauthier  Lowe  Martin
Grier  Mire  Newton
Hardee  Nunez  O’Neill
Hayes  Perkins  Reeves
Hernandez  Riecke  Robinson
Lenier  Total—53.
PAG E 5
64th Days Proceedings—October 10, 1973

Conroy
Deeney
Dennis
Dunlap
Fontenot
Fulco
Gauthier
Grier
Hardee

Hernandez    Jenkins    Leigh    Newton    O'Neill    Roemer    Schmitt    Singley    Smith
Stagg        Stinson    Stovall    Sutherland    Thompson    Tobias    Velazquez    Warren

NAYS

Delegates—
Aeriker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Brien
Brown
Burson
Cannon
Carmouche
Casey
Chatelain
Chehardy
Conino
Corne
Cowan
De Blieux
Deshots
Duval
Elkins
Fayard
Flory

Fowler
Girarruso
Goldman
Graham
Gravel
Guarisco
Hayes
Haynes
Heine
Jackson
Jackson, A.
Jackson, J.
Jenkins
Jenks
Kilbourne
Kilpatrick
Klpatrick
Landrum
Landry
LeBlanc
LeBlanc
LeBlanc
Lennox
Lowe
Martine
Mauherret
Miller
Mire
Munson
Newton
Nunez
O'Neill
Perkins
Pugh
Rayburn
Reeves
Riecke
Robinson
Roy
Sandoz
Shannon
Shannon
Slay
Stephenson
Tapper
Tate
Thistlethwaite
Thompson
Toibie
Toca
Toomy
Ullo
Velasquez
Vesich
Vick
Warren
Wattigny
Willis
Winchester
Wisham
Zervigon

NOT VOTING

Delegates—
Mr. Chairman
Berry
Burns
Champagne
D'Gerolamo
Drew

Edwards
Ginn
Juneau
Kean
Kelly
Lambert
McDaniel
Ourso

Ourso
Rachal
Segura
Wall
Weiss
Womack

Total—83.

NAYS

Delegates—

Total—9.

NOT VOTING

Delegates—

Total—20.

And the Chair declared that the above Proposal was finally passed.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other Orders of Business at this time.

Motion

On motion of Delegate Blair the rules were suspended in order to call a meeting of the Committee on Legislative Powers and Functions without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Blair, chairman of the Committee on Legislative Powers & Functions, sent up the following notice:

The Committee on Legislative Powers & Functions will meet on Thursday, October 11, 1973, at 10:00 o'clock A.M. in Committee Room No. 5 and will consider the following agenda:

AGENDA

To consider the recommendations of the Committee on Style and Drafting to CP 3.

Respectfully submitted,

CECIL BLAIR,
Chairman of the Committee on Legislative Powers & Functions

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

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Motion

On motion of Delegate Lambert the rules were suspended in order to call a meeting of the Committee on Natural Resources without giving the required 24 hours notice.

Delegate Lambert, chairman of the Committee on Natural Resources, sent up the following notice:

The Committee on Natural Resources will meet on Thursday, October 11, 1973, at 9:00 o'clock A.M. in Committee Room No. 4 and will consider the following agenda:

AGENDA

To continue consideration of the Committee's Proposal.

Respectfully submitted,

LOUIS LAMBERT,
Chairman of the Committee on Natural Resources

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Vesich—½ day.
Delegate Kean—1 day.
Delegate Champagne—½ day.
Dennis—1½ days.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, October 11, 1973, at 10:00 o'clock P.M. Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, October 11, 1973, at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

SIXTY-FIFTH DAY'S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 1:00 o'clock p.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman— Ginn
Abraham— Goldmann
Aeriker— Graham
Alario— Gravel
Anzalone— Grier
Arnette— Guarisco
Asseff— Hardee
Avant— Hayes
Badeaux— Haynes
Bel— Heine
Bergeron— Hernandez
Blair— Jack
Bollinger— Jackson, A.
Bren— Jackson, J.
Brown— Jenkins
Burns— Juneau
Burson— Kean
Carmouche— Kelly
Cassad— Kilbourne
Champagne— Kilpatrick
Chatelain— Lambert
Chehady— Landrum
Comar— Landry, A.
Compo— Landry, E. J.
Conroy— Lanier
Corne— LeBlanc
Covin— Leblancman
De Bleux— Lennox
Denis— Lowe
Derbes— McDaniel
Deshotel— Martin
Dunlap— Maubert
Duval— Miller
Edwards— Mire
Elkins— Munson
Fayard— Newton
Flory— Nunez
Fontenot— O'Neill
Fulco— Ourso
Gauthier— Perez
Giarrusso— Perkins

Total—121.

ABSENT

Delegates—
Alexander— Dennery
Berry— Drew
Cannon— Fowler
D'Ercole— Leigh

Total—11.

The Chairman announced that there were 121 members present and a quorum.

Prayer

Prayer was offered by Delegate Champagne.

Pledge of Allegiance

Delegate Hardee led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Ullo, the reading of the Journal was dispensed with.

On motion of Delegate Ullo, the Journal of yesterday was adopted.

Regular Order

Proposals Delegate and Committee

The following entitled delegate and committee proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up Committee Proposal No. 23 out of its Regular Order at this time.

COMMITTEE PROPOSAL No. 23—

Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and deleagtes Abraham, Arnette, Brien, Denney, Gravel, Stoval, and Tapper:

A PROPOSAL

Prohibiting dual employment and dual officeholding in state and local government.

Read.

Article .......... Section .......... Dual Employment and Dual Officeholding

Section .......... (A) Except as otherwise provided in this Section, no person holding, under the government of this state or any of its political subdivisions, any office or employment of trust or any office or employment which entitles him to any per diem, salary, or other emolument of office shall at the same time hold any other such office or employment with the United States, any foreign power, or any other state; nor shall any such person hold more than one such office or employment with this state or any of its political subdivisions.

(B) For purposes of this Section, the following shall not be considered to be offices or employment described in Paragraph (A) of this Section: (1) ex officio positions; (2) notaries public; (3) those serving on boards, commissions, and other instrumentalities performing solely policy-making or advisory functions; (4) delegates to, as well as officials and employees of, any constitutional convention; (5) members in the reserve of the armed forces and the national guard; and (6) election commissioners.

(C) Nothing in this Section shall prevent teachers in the public education system of the state from holding elective public office except that a teacher shall be prohibited from serving as a member of the parish or municipal school board of which he is an employee.

(D) Upon a determination made by the board of ethics, after a public hearing and under such procedures as may be provided by statute, that the public interest is not adversely affected, exceptions from this Section may be permitted.

Read.

Delegate Anzalone set up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Anzalone, Tobias, and Gauthier to Committee Proposal No. 23 by Delegate Stagg et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, delete lines 12 through 32, both inclusive, in their entirety and on page 2 delete lines 1 through 8, both inclusive in their entirety and insert in lieu thereof the following:

"Section .... (A) The legislature shall enact laws defining and regulating dual employment and dual officeholding in state and local government."

On motion of Delegate Anzalone the amendment was withdrawn.

Delegate Anzalone sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Anzalone, Tobias, and Gauthier to Committee Proposal No. 23 by Delegate Stagg et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 12 through 32, both inclusive, in their entirety and on page 2 delete lines 1 through 8, both inclusive in their entirety and insert in lieu thereof the following:

"Section .... (A) The legislature shall enact laws defining and regulating dual employment and dual officeholding in state and local government."

Delegate Anzalone moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—

Aertker
Alario
Anzalone
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Comar
Conino
Corne
Coven
De Blieux
Dennis
Derbes
Deshotels
Duval
Edwards
Elkins
Flory
Fontenot
Total—68.

Gauthier
Giarrusso
Ginn
Goldman
Grier
Hayes
Haynes
Heine
Jackson, A.
Jackson, J.
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
Leithman
Martin
Maubert
Miller
Mire
Munson
Newton
Nunez
O’Neill
Perkins
Planchard
Pugh
Rayburn
Reeves
Riecke
Robinson
Roemer
Sandoz
Segura
Shannon
Singletary
Soniat
Stovall
Sutherland
Tate
Thompson
Tobias
Toca
Toomy
Ullo
Vesich
Vick
Watting
Wills
Wisham
Womack
Zervigon

NAYS

Delegate—

Abraham
Arnette
Asseff
Brien
Conroy
Dunlap
Fulco
Graham
Gravel
Guarisco
Hardee
Hernandez

Delegates—

Schmitt
Slay
Smith
Stagg
Stephenson
Stinson

Total—29.

NOT VOTING

Delegates—

Mr. Chairman
Alexander
Berry
Cannon
Chehardy
D’Gerolamo

Total—17.

And the amendment was adopted.

Delegate Anzalone moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Casey to Committee Proposal No. 23 by Delegate Stagg et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, delete lines 6 and 7 in their entirety and insert in lieu thereof the following:

"Defining and regulating dual employment and defining, regulating and prohibiting dual officeholding in state and local government."

On motion of Delegate Casey the amendment was adopted.

Delegate Casey moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 23, Section ...., was read, as amended.

Delegate Anzalone moved the passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Flory
Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Gravel
Grier
Hardee
Hayes
Jackson, A.
Jackson, J.
Juneau
Kean
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Leithman
Martin
Maubert
Miller
Mire
Munson
Newton
Nunez
O’Neill
Perkins
Planchard
Pugh
Racal
Rayburn
Reeves
Riecke
Robinson
Roemer
Sandoz
Segura
Shannon
Singletary
Soniat
Stovall
Sutherland
Tate
Thompson
Tobias
Toca
Toomy
Ullo
Vesich
Vick
Watting
Wills
Wisham
Womack
Zervigon

NAYS

Delegates—

Abraham
Arnette
Asseff
Brien
Conroy
Dunlap
Fulco
Graham
Gravel
Guarisco
Hardee
Hernandez

Jack
Jenkins
LeBleu
Lemoz
McDaniel
Rachal

Total—86.

Delegates—

Mire
Munson
Newton
Nunez
O’Neill
Perkins
Planchard
Pugh
Racal
Rayburn
Reeves
Riecke
Robinson
Roemer
Sandoz
Segura
Shannon
Singletary
Soniat
Stovall
Sutherland
Tape
Thompson
Tobias
Toca
Toomy

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And the Chair declared that the above Section was passed.

Delegate Anzalone moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

The Proposal was read as amended.

Delegate Abraham moved the final passage of the entire Proposal.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Mr. Chairman—Gauthier
Alario—Girruss
Anzalone—Ginn
Asseff—Graham
Avant—Gravel
Badeaux—Grier
Bel—Guarisco
Blair—Hardee
Bollinger—Hayes
Brown—Haynes
Burns—Jackson, A.
Burson—Jackson, J.
Carmouche—Juneau
Casey—Kean
Champagne—Kelly
Chate lain—Kilbourne
Chehardy—Kilpatrick
Comar—Landrum
Conino—Landry, A.
Corone—Landry, E. J.
Coven—Lanier
De Bleux—LeBlanc
Dennis—LeBlanc
Derbes—LeBlanc
Deshotels—LeBlanc
Dunlap—Martin
Duval—Martin
Edwards—Martin
Elkins—Martin
Fayard—Martin
Flory—Martin
Fontenot—Martin
Fulco—Martin

Total—105.

**NAYS**

Delegates—
Abraham—Allen
Asseff—Allen
Brien—Allen

Total—10.

**NOT VOTING**

Delegates—
Aertker—Allen
Alexander—Allen
Berry—Allen
Cannon—Allen
D’Geronimo—Allen
Denney—Allen

Total—17.

And the Chair declared that the above Proposal was finally passed.

Delegate Avant moved that the Convention take up other Orders of Business at this time.

Delegate Schmitt objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Alario—Girruss
Badeaux—Ginn
Bel—Guarisco
Blair—Hardee
Bollinger—Hayes
Brown—Haynes
Burns—Jackson, A.
Burson—Jackson, J.
Carmouche—Juneau
Casey—Kean
Champagne—Kelly
Chate lain—Kilbourne
Chehardy—Kilpatrick
Comar—Landrum
Conino—Landry, A.
Corone—Landry, E. J.
Coven—Lanier
De Bleux—LeBlanc
Dennis—LeBlanc
Derbes—LeBlanc
Deshotels—LeBlanc
Dunlap—Martin
Duval—Martin
Edwards—Martin
Elkins—Martin
Fayard—Martin
Flory—Martin
Fontenot—Martin
Fulco—Martin

Total—105.

**NAYS**

Delegates—
Abraham—Allen
Asseff—Allen
Brien—Allen

Total—10.

**NOT VOTING**

Delegates—
Aertker—Allen
Alexander—Allen
Berry—Allen
Cannon—Allen
Chehardy—Allen
D’Geronimo—Allen
Denney—Allen

Total—24.

And the Convention took up other Orders of Business at this time.
65th Days Proceedings—October 11, 1973

Committee Proposals

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL NO. 33—

Introduced by Delegate A. Jackson, Chairman, Committee on Ball of Rights and Elections (Substitute for Committee Proposal No. 20, by Delegate A. Jackson, Chairman on behalf of the Committee on Ball of Rights and Elections, and Delegates Dunlap, Guarisco, Jenkins, Roy, Soniat, Stinson, Vick, Wall and Weiss)

A PROPOSAL

Making general provisions for elections.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE X. ELECTIONS

Section 2. Election Code: Right to Vote

Section 2. Subject to and not inconsistent with the provisions of this constitution, the legislature shall adopt an election code which shall provide for the permanent registration of voters and for the conduct of all elections; except as otherwise provided in this constitution, the right to vote in elections is guaranteed to all citizens of this state.

Section 3. Secret Ballot

Section 3. In all elections by the people, voting shall be by secret ballot, and the legislature shall provide a method for absentee voting. Proxy voting shall be prohibited. All ballots cast shall be counted publicly and preserved inviolate as provided by law until all election contests have been settled.

In all elections by persons in a representative capacity, the vote shall be viva-voce.

Section 6. Privilege from Arrest

Section 6. Every qualified elector shall be privileged from arrest in going to and returning from voting and while exercising the right to vote in all cases, except felony or breach of the peace.

Section 11. Registrars of Voters

Section 11. Subject to and not inconsistent with the provisions of this constitution, the governing authority of each parish shall appoint a parish registrar of voters, whose compensation, removal from office for cause, bond, powers, and functions shall be provided by law. Upon qualifying as a candidate for public office, the registrar of voters shall forfeit his office. No law shall provide for the removal from office of a registrar by the appointing governing authority.

Section 18. Prohibited Use of Public Funds

Section 18. No public funds shall be used to urge any elector to vote for or against any candidate or proposition, nor appropriated to any candidate or political organization. However, this provision shall not prohibit the use of public funds for the dissemination of factual information relative to any proposition appearing on an election ballot.

Under the Rules, referred to the Committee on Style and Drafting.

Motion

On motion of Delegate Blair the rules were suspended in order to allow the Committee on Legislative Powers and Functions five additional days to consider the recommendations of the Committee on Style and Drafting to Committee Proposal No. 3.

Motion

On motion of Delegate Tate the rules were suspended in order to call a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Delegate Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Friday, October 12, 1973, at 9:00 o'clock A.M. in Room No. 206 and will consider the following agenda:

AGENDA

Consideration of CP 4, Executive Dept.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Adjournment

Delegate Blair moved that the Convention adjourn until Wednesday, October 17, 1973, at 1:00 o'clock P.M.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Hernandez</td>
<td>Roemer</td>
<td></td>
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<tr>
<td>Badeaux</td>
<td>Jenkins</td>
<td>Sanders</td>
<td></td>
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<tr>
<td>Bel</td>
<td>Kilbourne</td>
<td>Segura</td>
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<tr>
<td>Blair</td>
<td>Lambert</td>
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<tr>
<td>Burns</td>
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<td>Slay</td>
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<tr>
<td>Carmouche</td>
<td>Landry, E. J.</td>
<td>Smith</td>
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<tr>
<td>Casey</td>
<td>Leithman</td>
<td>Stephenson</td>
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<tr>
<td>Comar</td>
<td>Lennox</td>
<td>Stinson</td>
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<tr>
<td>Conino</td>
<td>Lowe</td>
<td>Sutherland</td>
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<tr>
<td>Corne</td>
<td>McDaniel</td>
<td>Tapper</td>
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<td>Cowen</td>
<td>Maiburret</td>
<td>Thompson</td>
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<tr>
<td>Derbes</td>
<td>Nunez</td>
<td>Toca</td>
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<tr>
<td>Fontenot</td>
<td>Perkins</td>
<td>Toomy</td>
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<tr>
<td>Fulco</td>
<td>Rachal</td>
<td>Ullo</td>
<td></td>
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<tr>
<td>Gauthier</td>
<td>Rayburn</td>
<td>Weiss</td>
<td></td>
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<tr>
<td>Girrussio</td>
<td>Reeves</td>
<td>Winchester</td>
<td></td>
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<tr>
<td>Hardee</td>
<td>Ricke</td>
<td>Wimack</td>
<td></td>
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<tr>
<td>Haynes</td>
<td>Robinson</td>
<td></td>
<td></td>
</tr>
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<td>Total—54</td>
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NAYS

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<thead>
<tr>
<th>Delegates</th>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Bollinger</td>
<td>Brien</td>
<td>Conroy</td>
<td></td>
</tr>
<tr>
<td>Brown</td>
<td>DeBileux</td>
<td>Dennis</td>
<td></td>
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<tr>
<td>Burson</td>
<td>Deshotels</td>
<td>Edwards</td>
<td></td>
</tr>
<tr>
<td>Champagne</td>
<td>Chatelain</td>
<td>Payard</td>
<td></td>
</tr>
</tbody>
</table>

Respectfully submitted,

For the Secretary,

DAVID R. POYNTER,
Chief Clerk.

626
65th Days Proceedings—October 11, 1973

Flory                  Kean                 Schmitt
Ginn                  Kilpatrick           Shannon
Goldman               Landry, A.           Soniat
Graham                Lanier               Stagg
Grier                 Martin               Stovall
Guarisco              Miller               Tate
Hayes                 Mire                 Tobias
Heine                 Munson               Velazquez
Jackson, A.           Newton               Warren
Jackson, J.           O’Neill              Wattigny
Juneau                Planchard           Willis
Juneau                Pugh                 Zervigon

Delegates—

Drew                  Leigh
Alexander             Dunlap               Ours
Anzalone              Duval                Perez
Berry                 Elkins               Roy
Cannon                Fowler               Thistlewaite
Chehardy              Gravel               Vesich
D’Gerolamo            Kelly                Vick
Denhery               LeBlue               Wall

Total—54.

NOT VOTING

Delegates—

Aertker
Alexander
Anzalone
Arnette
Asseff
Badcaux
Bergeron
Blair
Bollinger
Brown
Carnouche
Chatelain
Comar
Coxen
Deshetels
Duval
Elkins
Fontenot
Fulco
Gauthier

Total—54.

And the Convention refused to adjourn until Wednesday, October 17, 1973, at 1:00 o’clock P.M.

Leave of Absence

Delegate Thistlewaite—1 day.

Motion

Delegate Stagg moved that the Convention do now adjourn until Wednesday, October 17, 1973 at 9:00 o’clock A.M.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Chairman—Burns
Abraham—Burson
Avant—Casey
Bel—Champagne
Brien—Conino

Mauberret           Slay
Mire                Soniat
Munson              Stagg
Newton              Stovall
O’Neill             Thompson
Perez               Tobias
Planchard           Toca
Pugh                Tomoy
Rachel              Ulo
Riecke              Velazquez
Robinson            Vick
Sandoz              Wattigny
Schmitt             Willis
Segura              Winchester
Singletary          Womack

Delegates—

Alario
Anzalone
Arnette
Asseff
Badcaux
Bergeron
Blair
Bollinger
Brown
Carnouche
Chatelain
Comar
Coxen
Deshetels
Duval
Elkins
Fontenot
Fulco
Gauthier

Total—55.

NOT VOTING

Denner
Drew
Cannon
Fowler
LeBlue
Leigh

And the Convention adjourned until Wednesday, October 17, 1973, at 9:00 o’clock A.M.

And Chairman Henry declared the Convention adjourned to Wednesday, October 17, 1873, at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

627
The Convention was called to order at 9:00 o'clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

**PRESENT**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fulco</td>
<td>Perkins</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Planard</td>
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<td>Girarro</td>
<td>Pugh</td>
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<td>Ginn</td>
<td>Rachal</td>
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<td>Goldman</td>
<td>Rayburn</td>
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<td>Graham</td>
<td>Revere</td>
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<td>Gravel</td>
<td>Riecke</td>
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<td>Grier</td>
<td>Robinson</td>
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<td>Guasico</td>
<td>Roemer</td>
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<td>Hardie</td>
<td>Roy</td>
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<td>Hayes</td>
<td>Sande</td>
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<td>Haynes</td>
<td>Schmitt</td>
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<td>Heine</td>
<td>Segura</td>
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<td>Hernandez</td>
<td>Shannon</td>
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<td>Jack</td>
<td>Singletary</td>
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<td>Johnson, A.</td>
<td>Slay</td>
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<td>Jenkins</td>
<td>Smith</td>
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<td>Juneau</td>
<td>Soniat</td>
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<tr>
<td>Kean</td>
<td>Stagg</td>
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<td>Kelly</td>
<td>Stephenson</td>
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<td>Kilbourne</td>
<td>Stinson</td>
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<td>Kilpatrick</td>
<td>Stovall</td>
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<td>Lambert</td>
<td>Sutherland</td>
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<td>Landrum</td>
<td>Tapper</td>
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<td>Landry, A.</td>
<td>Thistlethwaite</td>
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<td>Landry, E. J.</td>
<td>Thompson</td>
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<td>Lanier</td>
<td>Tobias</td>
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<td>LeBleu</td>
<td>Toca</td>
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<td>LeBlanc</td>
<td>Thomey</td>
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<td>Lenox</td>
<td>Ulo</td>
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<td>Lowe</td>
<td>Velazquez</td>
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<tr>
<td>Lowe</td>
<td>Vesich</td>
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<td>Mcdaniel</td>
<td>Vick</td>
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<tr>
<td>Martin</td>
<td>Warren</td>
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<td>Maubertet</td>
<td>Wattigny</td>
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<td>Mire</td>
<td>Willis</td>
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<td>Munson</td>
<td>Winchester</td>
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<td>Newton</td>
<td>Wisham</td>
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<tr>
<td>Nunez</td>
<td>Womack</td>
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<tr>
<td>O'Neill</td>
<td>Zervigon</td>
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</tbody>
</table>

**ABSENT**

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Party</th>
</tr>
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<tbody>
<tr>
<td>Jackson, J.</td>
<td>Wall</td>
</tr>
<tr>
<td>Miller</td>
<td>Weiss</td>
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<td>Tste</td>
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</tbody>
</table>

The Chairman announced that there were 124 members present and a quorum.

**Prayer**

Prayer was offered by Delegate Burns.

**Pledge of Allegiance**

Delegate Graham led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Delegate Stovall, the reading of the Journal was dispensed with.

On motion of Delegate Stovall, the Journal of yesterday was adopted.

**Regular Order**

**Proposals**

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**Motion**

On motion of Delegate Rayburn, the Convention altered the Order of Business to take up Committee Proposal No. 26 out of its regular order at this time.

**COMMITTEE PROPOSAL No. 26—**

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubertet, Mire, Nunez, Planard, Slay, and Winchester:

**A PROPOSAL**

Making provisions for property taxation.

**ARTICLE XI. REVENUE AND FINANCE**

Section 1. Assessment of Property; Classification; Assessors Right of Taxpayer

Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value; such percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each such classification for the purpose of determining assessed valuation are as follows:

CLASSIFICATIONS: PERCENTAGES:

1. All land ........................................ 5%
2. Improvements on residential property .......... 10%
3. All other property ................................ 15%

(C) Assessors shall determine the fair market value of all property subject to taxation within their respective parishes and districts except public service properties which shall be valued by the Louisiana Tax Commission. All property subject to taxation shall be re-appraised at intervals of not more than five years.

(D) The correctness of assessments by the assessor shall be subject to review by the governing authority of the parish, then by the Louisiana Tax Commission, and finally by the courts in accordance with procedures established by law.

(E) The legislature may provide that agricultural, horticultural and timber lands shall be assessed for the purpose of taxation at a percentage of use value rather than fair market value.

Read.

Delegate Mire sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**


Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—

On page 1, delete lines 23 and 24, in their entirety and insert in lieu thereof the following:

"1. All land improvements 10% 10%
2. Improvements for Residential Purposes 10%" 

Delegate Mire moved the adoption of the amendment.
Delegate Schmitt objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Chairman—
Mr. Chairman, Flory, Newton
Fowler, Nunez
Fulco, O'Neill
Gauthier, Perez
Giarrusso, Planchar
Ginn, Pugh
Goldman, Rachal
Graham, Rayburn
Gravel, Reeves
Grier, Riecke
Guarisco, Roemer
Hardee, Sandoz
Hayes, Schmitt
Hayes, Shannon
Heine, Singletary
Hernandez, Stagg
Jackson, Smith
Jenkins, Stovall
Juneau, Stephens
Kelly, Sutherland
Kilbourne, Thistlethwaite
Kilpatrick, Thompson
Landrum, Tobias
Landry, A., Toca
Landry, E. J., Toomy
Lanter, Ullo
LeBlanc, Velazquez
LeBlanc, Vick
LeBlanc, Wagg
LeTourneau, Willis
Lowe, Winchester
McDaniel, Wisham
Moberret, Womack
Mire, Munson

NAYS

Mr. Chairman, Lennox, Soniat
Perkins, Stinson
Robinson, Zervigon

NOT VOTING

Mr. Chairman, Lambert, Tapper
Miller, Tate
Miller, Vescic
Oursou, Wall
Roy, Weiss

FLOOR AMENDMENT


Amend reprinted as engrossed proposal as follows: AMENDMENT No. 1—

On page 2, line 4, after the word "legislature" and before the word "provide" delete the word "may" and insert in lieu thereof the word "shall"

Delegate McDaniel moved the adoption of the amendment.
Delegate Pugh objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Chairman—
Mr. Chairman, Fowler, O'Neill
Fulco, Perez
Gauthier, Perkins
Giarrusso, Planchar
Ginn, Pugh
Goldman, Rachal
Graham, Rayburn
Gravel, Reeves
Grier, Riecke
Guarisco, Roemer
Hardee, Sandoz
Hayes, Schmitt
Hayes, Shannon
Heine, Singletary
Hernandez, Stagg
Jackson, Smith
Jenkins, Stovall
Juneau, Stephens
Kelly, Sutherland
Kilbourne, Thistlethwaite
Kilpatrick, Thompson
Landrum, Tobias
Landry, A., Toca
Landry, E. J., Toomy
Lanter, Ullo
LeBlanc, Velazquez
LeBlanc, Vick
LeBlanc, Wagg
LeTourneau, Willis
Lowe, Winchester
McDaniel, Wisham
Moberret, Womack
Mire, Munson
Nunez

NAYS

Mr. Chairman, Lennox, Soniat
Perkins, Stinson
Robinson, Zervigon

NOT VOTING

Mr. Chairman, Lambert, Tapper
Miller, Tate
Miller, Vescic
Oursou, Wall
Roy, Weiss

Jackson, J., Segura
Miller, Tate
Oursou, Vescic
Roy, Weiss

Total—16.

And the amendment was adopted.

Delegate Mire moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate McDaniel sent up a floor amendment, which was read as follows:
And the amendment was adopted.

Delegate McDaniel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kean sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Kean to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 11 through 32, both inclusive, in their entirety and on page 2 delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Assessment of Property; Adjustment of Millages. Section 1. (A) All property subject to ad valorem taxation shall be listed at its fair market value and assessed uniformly throughout the state at twenty percent of its fair market value, subject to the provisions hereof. The Legislature shall establish uniform criteria for determining fair market value provided, however, use shall be the basis for determining the fair market value for all land in bona fide use for cultural, horticultural and timber purposes and also for land in incorporated municipalities.

(B) The total amount of taxes collected by any taxing authority in the state shall not be increased or decreased because of the method of assessing property at a uniform ratio of assessment to value as provided in paragraph (A) hereof, and it shall be the mandatory duty of all taxing authorities to adjust millages proportionate to adjustment in assessment values so as to produce the same total dollar amount of revenue, subject to the adjustments shall be made without regard to limitations contained elsewhere in this constitution. Nothing herein shall be construed to prohibit any taxing authority from collecting a larger dollar amount of ad valorem taxes by means of the following: (a) by levying additional millages as provided by law; (b) by placing additional property on the tax rolls; or (c) by reason of increased property values due to economic conditions. Nothing contained herein shall be construed to diminish the security of outstanding bonds.

(C) Assessors shall list the fair market value and the assessed value of all property subject to taxation within their respective parishes and districts except public service properties which shall be determined by the Louisiana Tax Commission. Every parcel of property subject to taxation shall be re-appraised on the basis of its current fair market value at least once every five years, as provided by general law."

Delegate Kean moved the adoption of the amendment.

Delegate Alario objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Achter
Bel
Bergeron
Bollinger
Burson
Cannon
Casey
Champagne
Chatelain
Conroy
De Blieux
Dennerly
Dennis
Total—38.

NAYS

Delegates—

Abraham
Aniloro
Anzalone
Arnette
Assid
Avant
Badeaux
Blair
Brien
Brown
Burns
Carmouche
Chehardy
Comar
Conino
Corne
Cowen
Deshotels
Dunlap
Duval
Dugan
Fayard
Flory
Fowl
Ginn
Goldman
Graham
O'Neill

4630
And the amendment was rejected.

Delegate Alario moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Toomy, and under a suspension of the rules, the following Communication was ordered incorporated in the Official Journal.

October 6, 1973

Chairman, and Delegates of the 1973 Constitutional Convention

Fellow Delegates,

It is with great regrets that I will be unable to be with you during the week of October 8, at which time Committee Proposal No. 26 will come to the floor.

My feelings and the wishes of my constituents are very strong in favor of this proposal.

During my campaign for this Constitutional Convention, and every opportunity since then, I have carried to Baton Rouge the thoughts of the people of District 77. They and myself agree, that the guarantee of private homes against excessive taxation is the most important issue in this convention.

Home ownership is the basic principle of our society. Let's not destroy home ownership by giving taxing authorities the right to tax us out of our homes.

I want to thank all of you for your permission to allow me to express my thoughts along with the thoughts of my people during my absence.

Yours very truly,

EDWARD D'GEROLAMO

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT NO. 1—

On page 1, delete lines 13 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. (A) All ad valorem taxation shall be based on fair market value of the property. The legislature shall establish uniform procedures for determining fair market value and shall provide for considering use value in the valuation of bona fide agricultural, horticultural and timber lands."

Delegate De Blieux moved the adoption of the amendment.

Delegate Toca objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Abigail</th>
<th>Bollinger</th>
<th>Casey</th>
<th>De Blieux</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denner &amp; Stagg</td>
<td>Sutherland</td>
<td>Zervigon</td>
<td></td>
<td></td>
<td>11</td>
</tr>
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</table>

Not Voting

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Miller</th>
<th>Oursor</th>
<th>Perkins</th>
<th>Roy</th>
<th>Segura</th>
<th>Stovall</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tate</td>
<td>Thistlewaite</td>
<td>Vesich</td>
<td>Wall</td>
<td>Welsh</td>
<td></td>
<td></td>
<td>17</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Chehardy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT NO. 1—

On page 1, delete lines 11 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its fair market value and assessed at a percentage of its fair market value. Use shall be the basis for determining the fair market value for all land in bona fide use for agricultural, horticultural, and timber purposes. Zoning may be used as the basis for determining the value of all land in incorporated municipalities."

Delegate Schmitt moved the adoption of the amendment.

Delegate Mire objected.

By a vote of 15 yeas and 101 nays the amendment was rejected.

Delegate Mire moved to reconsider the vote by which the
amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 18 through 25, both inclusive, in their entirety, including Convention Floor Amendment No. 1 proposed by Delegate Mire and adopted by the Convention on October 17, 1973, and insert in lieu thereof the following:

"(B) The classification and rate of taxation shall be uniform throughout the taxing district:"

On motion of Delegate De Blieux the amendment was withdrawn.

Delegate Lowe sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Lowe to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 23 through 25, in their entirety including Convention Floor Amendment No. 1 proposed by Delegate Mire and adopted by the Convention on October 17, 1973, and insert in lieu thereof the following:

1. All land ———— 10%
2. Improvements for Residential Purposes ———— 15%
3. All other Property ———— 20%

Delegate Lowe moved the adoption of the amendment.

Delegate Chehardy objected.

By a vote of 47 yeas and 69 nays the amendment was rejected.

Delegate Chehardy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 18 through 25, both inclusive, including Convention Floor Amendment No. 1 proposed by Delegate Mire, et al. and adopted by the Convention on October 17, 1973, in their entirety and insert in lieu thereof the following:

"(B) The classifications of property subject to ad valorem taxation for the purpose of determining assessed valuation are as follows:

1. Residential property
2. Commercial property
3. Industrial property
4. Agricultural, horticultural, and timberland property
5. All other property"

Delegate Schmitt moved the adoption of the amendment.

Delegate Chehardy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alexander Cowen
Total—6.

NAYS

Delegates—
Total—106.

NOT VOTING

Delegates—
Mr. Chairman Berry Burns Carmouche D'Gerolamo Dennis Drew
Total—20.

And the amendment was rejected.

Delegate Chehardy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Lennox, the Convention altered the Order of Business to take up Reports of Committees at this time.

Reports of Committees

The following reports of committees were received and read:

Delegate Alphonse Jackson, Jr., chairman, on behalf of the Committee on Bill of Rights and Elections, submitted the following report:

State of Louisiana Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Bill of Rights and Elections to submit the following report:

DELEGATE PROPOSAL No. 69—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the registration of voters.
Reported without action

DELEGATE PROPOSAL No. 70—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the right to property.
Reported without action

DELEGATE PROPOSAL No. 73—
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for open primary elections.
Reported without action

DELEGATE PROPOSAL No. 81—
Introduced by Delegate Weiss:
A PROPOSAL
Making provision for open primary elections.
Reported without action

DELEGATE PROPOSAL No. 6—
Introduced by Delegate Weiss:
A PROPOSAL
Making general provisions for elections.
Reported without action

Respectfully submitted,

ALPHONSE JACKSON, JR.,
Chairman.

Committee Proposals
Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:
Constitutional Convention of 1973
State of Louisiana

To the Chairman and Delegates of the Convention:
I submit the following report:

COMMITTEE PROPOSAL No. 23—
Introduced by Delegate Stagg, Chairman, on behalf of the Committee on Executive Department, and Delegates Abraham, Arnette, Brien, Dennery, Gravel, Stovall, and Tapper:
A PROPOSAL
Defining and regulating dual employment and defining, regulating and prohibiting dual officeholding in state and local government.

Be it adopted by the Constitutional Convention of Louisiana of 1973:
Article ...., Section .... Dual Employment and Dual Officeholding
Section .... (A) The legislature shall enact laws defining and regulating dual employment and defining, regulating and prohibiting dual officeholding in state and local government.

Respectfully submitted,
MOISE W. DENNERY,
Secretary.

Under the rules, referred to the Committee on Style and Drafting.

Leaves of Absence
Delegate Tate—4 days.
Delegate Weiss—1 day.
Delegate Miller—1 day.
Delegate J. Jackson—2 days.
Delegate Roy—1 day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Thursday, October 18, 1973 at 9:30 o'clock A.M.
Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, October 18, 1973 at 9:30 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
ROLL CALL

The Convention was called to order at 9:30 A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aerkink
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
De Blieux
Dennery
Dennis
Dorbes
Dechotels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Juneau
Kean
Kelly
Kelley
Kilbourne
Kilpatrick
Lambert
Laudrum
Landy, A.
Landy, E. J.
Lanier
LeBleu
Leigh
Leithman
Lennox
Lowe
McDaniel
Martin
Mauberret
Mire
Monson
Newton
Nunez
O'Neill
Ours
Perez
Perkins
Planchard
Pugh
Rachal
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singleton
Slay
Smith
Soniat
Sugg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Thistlethwaite
Thompson
Tobias
Toca
Toomy
Ulio
Velazquez
Vesich
Vick
Wall
Warren
Wattigny
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

ABSENT

Delegates—
Berry
D'Gerolamo
Jackson, J.
Miller
Tate
Miller
Total—127.

The Chairman announced that there were 127 members present and a quorum.

Prayer

Prayer was offered by Delegate De Blieux.

Pledge of Allegiance

Delegate Conino led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Segura, the reading of the Journal was dispensed with.

On motion of Delegate Segura, the Journal of yesterday was adopted.

Morning Hour

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

October 9, 1973

Hon. Wade O. Martin, Jr.
Secretary of State
Baton Rouge, Louisiana

To Mr. Martin:

Please issue commission to the following:

Miss Corinne Maybue, Baton Rouge, as Delegate to the Constitutional Convention of 1973 (representing racial minorities), vice Dean Louis Berry, resigned.

Yours very truly,

EDWIN EDWARDS,
Governor of Louisiana.

Oath of Office

(Miss) Corinne Maybue appeared before the bar of the Convention and took the following oaths of office administered by Honorable David R. Poynter, Clerk of the House of Representatives and Chief Clerk of the Constitutional Convention:

"I hereby solemnly swear that I will support the Constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitation of authority contained in the Act under which this convention has assembled. So help me God."

"I (Corinne Maybue) do solemnly swear that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention, according to the best of my ability and understanding. So help me God."

Reports of Committees Lying Over

Delegate and Committee Proposals on Second Reading Reported by Committees

The following entitled Delegate and Committee Proposals were taken up and acted upon as follows:

DELEGATE PROPOSAL No. 6—
Introduced by Delegate Weiss:

A PROPOSAL

Making general provisions for elections.

Read.

Reported without action by the Committee on Bill of Rights and Elections.
On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 69—**
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the registration of voters.
Read.

Reported without action by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 70—**
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for the right to property.
Read.

Reported without action by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 73—**
Introduced by Delegate Abraham:
A PROPOSAL
Making provisions for open primary elections.
Read.

Reported without action by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

**DELEGATE PROPOSAL No. 81—**
Introduced by Delegate Abraham:
A PROPOSAL
Making provision for open primary elections.
Read.

Reported without action by the Committee on Bill of Rights and Elections.

On motion of Delegate A. Jackson the Proposal was withdrawn from the files of the Convention.

Unfinished Business

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

**Proposals Delegate and Committee**

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

**COMMITTEE PROPOSAL No. 26—**
Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberry, Mire, Nunez, Planchard, Slay, and Winchester:
A PROPOSAL
Making provisions for property taxation.
Read.

**Motion**

Delegate Perkins moved that Convention resolve itself into a Committee of the Whole until 12:00 o'clock noon for the purpose of hearing testimony from non-Delegates on Committee Proposal No. 26, and that each speaker be limited to 30 minutes, which shall be limited to 20 minutes for testimony and 10 minutes for questions.

Delegate Mire objected.

Delegate Duval moved that the time for debate on the motion to resolve into a Committee of the Whole be limited to 15 minutes.

Delegate Jack objected.

Delegate Alexander moved that the debate on the motion to resolve into a Committee of the Whole be limited to 15 minutes and that each speaker be limited to 1 minute each.

Delegate Jack objected.

By a vote of 75 yeas and 41 nays the Convention limited the debate on the motion to resolve into a Committee of the Whole and limited debate to 1 minute to each speaker.

As a substitute, Delegate Smith moved that the Convention resolve itself into a Committee of the Whole until 12:00 o'clock noon for the purpose of hearing from non-Delegates on Committee Proposal No. 26 and that each speaker be limited to 30 minutes.

Delegate Mire objected.

Delegate Tapper moved the previous question on the substitute motion.

Delegate Jack objected.

By a vote of 69 yeas and 47 nays the previous question was ordered.

The vote then recurred on the substitute motion.

By a vote of 32 yeas and 86 nays the substitute motion was rejected.

Delegate Perkins insisted upon the original motion.

Delegate Shannon moved to table the entire subject matter.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Alario
Avant
Brien
Chehardy
Cowan
Dunlap
Edwards
Flory
Fowler
Total—26.

Delegate
Abraham
Aertker
Alexander
Anzalone
Arnette
Asseff
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain

Delegate
Comar
Conino
Conroy
Corne
De Blieux
Denmery
Dennis
Derbes
Deshotels
Drew
Duval
Elkins
Fonnetot
Fulco
Gauthier
Giarrusso
Graham
Grier

Delegate
Ginn
Goldman
Gravel
Jackson, A.
Martin
Mire
Roy
Segura
Shannon
Slay
Stephenson
Thompson
Toca
Watigny
Willis
Wisham
Womack

**NAYS**

Delegate
Abraham
Aertker
Alexander
Anzalone
Arnette
Asseff
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Burson
Carmouche
Casey
Champagne
Chatelain

Delegate
Comar
Conino
Conroy
Corne
De Blieux
Denmery
Dennis
Derbes
Deshotels
Drew
Duval
Elkins
Fonnetot
Fulco
Gauthier
Giarrusso
Graham
Grier

Delegate
Hardee
Hayes
Heine
Hernandez
Jack
Jenkins
Juneau
Kelly
Kilbourne
Kilpatrick
Landrum
Landy, A.
Landy, E. J.
Lanier
LeBlanc
Leigh
Leithman
Lennox
67th Days Proceedings—October 18, 1973

Lowe
McDaniel
Mauberret
Maybucke
Newton
Nunez
O’Neill
Ourso
Perez
Perkins
Planchnard
Raichal
Rayburn
Total—92.

NOT VOTING

Delegates—
Mr. Chairman
Cannon
D’Geronimo
Fayard
Gualisco
Total—14.

And the Convention refused to table the entire subject matter.

As a further substitute Delegate Casey moved that Convention resolve itself into a Committee of the Whole for a period of 2 hours for the purpose of having testimony from non-Delegates on Committee Proposal No. 26, and that each speaker be limited to 30 minutes, which shall consist of 20 minutes for testimony and 10 minutes for questions.

Delegate Mire objected.

Delegate Smith moved the previous question on the entire subject matter.

Delegate Jack objected.

By a vote of 113 yea and 13 nay the previous question was ordered.

The vote then recurred on the substitute motion of Delegate Casey.

By a vote of 87 yea and 36 nay the Convention resolved itself into a Committee of the Whole for a period of 2 hours.

Committee of the Whole
Vice-Chairman Roy in the Chair
The Committee Rose
Convention Business Resumed
Proposals
Delegate and Committee, Resumed

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberret, Mire, Nunez, Planchnard, Slay, and Winchester:

Making provisions for property taxation.

Read.

Section 1. Assessment of Property; Classification; Assessors Right of Taxpayer

Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value; such percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each such classification for the purpose of determining assessed valuation are as follows:

CLASSIFICATIONS:

PERCENTAGES:

1. All land — 5%
2. Improvements on residential property — 10%
3. All other property — 15%

(C) Assessors shall determine the fair market value of all property subject to taxation within their respective parishes and districts except public service properties which shall be valued by the Louisiana Tax Commission. All property subject to taxation shall be reappraised at intervals of not more than five years.

(D) The correctness of assessments by the assessor shall be subject to review by the governing authority of the parish, then by the Louisiana Tax Commission, and finally by the courts in accordance with procedures established by law.

(F) The legislature may provide that agricultural, biotechnological and timber lands will be assessed for the purpose of taxation at a percentage of use value rather than fair market value.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 26, Section 1, when it adjourned on Wednesday, October 17, 1973, which was taken up and acted upon as follows:

Delegate Arnette sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Arnette to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 13 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be the percentages of its fair market value that are applicable to each taxing district in which the property lies; for each district in which the property lies, each percentage of fair market value shall be uniform throughout each district upon the same class of property.

(B) Percentages of fair market value and classifications of property shall be set by the local governing authority and may be changed by two-thirds favorable vote of that governing authority unless a home rule charter provides otherwise. Percentages of fair market value and classifications of property for multi-parish districts shall be set by the Louisiana Tax Commission. Percentages of fair market value for each classification shall not be less than ten percent nor more than twenty-five percent."

Delegate Arnette moved the adoption of the amendment.

Delegate Slay objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Alexander
Anzalone
Arnette
Bel
Bergeron
Brien
Burson
Carmouche
Casey
Corne
De Bileux
Denney
Derbes
Drew
Total—43.

Duval
Elkins
Fontenot
Girard
Grier
Heine
Hernandez
Juneau
Kean
LeBlanc
LeBlanc
Leigh
McDaniel
Perez
Perkins
Robinson
Sandoz
Schmitt
Soniat
Stagg
Stinson
Sutherland
Thistlethwaite
Velasquez
Vick
Warren
Zervigon

Riecke
Robinson
Sandoz
Soniat
Stagg
Stinson
Sutherland
Thistlethwaite
Velasquez
Vick
Warren
Zervigon

636
And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Chatelain, the Convention altered the Order of Business to take up other Orders of Business at this time.

Leaves of Absence
Delegate Pugh—½ day,
Delegate Miller—3 days.

Adjournment
Delegate Chatelain moved that the Convention do now adjourn until Friday, October 19, 1973 at 9:30 o'clock A.M.

Which motion was agreed to.

And Chairman E. L. Henry declared the Convention adjourned to Friday, October 19, 1973 at 9:30 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:30 o’clock A.M., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aerker
Alario
Anzalone
Arnette
Assie
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Busson
Cannon
Carmouche
Casey
Champagne
Chataine
Cheharden
Comar
Conino
Conroy
Corre
Craw
De Blieux
Dennery
Dennis
Derbes
Deholtz
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Floy
Fontenot
Fowler
Fowler
Total—124.

ABSENT

Delegates—
Alexander
D’Gerolamo
Goldman
Miller
Pugh
Sandoz
Tate
Thompson

The Chairman announced that there were 124 members present and a quorum.

Prayer

Prayer was offered by Delegate E. J. Landry.

Pledge of Allegiance

Delegate Toca led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Stagg, the reading of the Journal was dispensed with.

On motion of Delegate Stagg, the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Cheharden, Edwards, Goldman, Maubet, Mire, Nunez, Planchard, Slay, and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section 1. Assessment of Property; Classification; Assessors; Right of Taxpayer

Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value; such percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each such classification for the purpose of determining assessed valuation are as follows:

CLASSIFICATIONS: PERCENTAGES:
1. All land —————————————————————— 5%
2. Improvements on residential property ———— 10%
3. All other property ——————————————————— 15%
(C) Assessor’s determination of the fair market value of all property subject to taxation within their respective parishes and districts except public service properties shall be valued by the Louisiana Tax Commission. All property subject to taxation shall be re-appraised at intervals of not more than five years.

(D) The correctness of assessments by the assessor shall be subject to review by the governing authority of the parish, then by the Louisiana Tax Commission, and finally by the courts in accordance with procedures established by law.

(E) The legislature may provide that agricultural, horticultural and timber lands will be assessed for the purpose of taxation at a percentage of use value rather than fair market value.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 26, Section 1, when it adjourned on Thursday, October 18, 1973, which was taken up and acted upon as follows:

Delegate McDaniel sent up floor amendments, which were read as follows:

FLOOR AMENDMENT

Amendments proposed by Delegate McDaniel to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, between lines 12 and 13, insert the following:
"Section 1. Notwithstanding any provision contained in this constitution to the contrary, the power of taxation shall not be exercised by the legislature to levy an ad valorem tax upon any property in the state, and such power shall be exclusively vested in political subdivisions to be exercised as provided in this constitution."

AMENDMENT No. 2—
On page 1, at the beginning of line 13, strike out the following:
"Section 1."

Point of Order
Delegate Mire suggested that the amendment was not germane to the Section under consideration, therefore was out of order at this time, and asked a ruling from the chair.

Ruling of the Chair
The Chair ruled that the amendment, not being germane to the Section under consideration at this time, was out of order.

Appeal from the Ruling of the Chair
Delegate McDaniel appealed the ruling of the Chair.

Under the rules the question was put to sustain the Chair.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Alario
Arnette
Asseff
Avant
Badeaux
Blair
Bruns
Carmouche
Chatelain
Chehardy
Conar
Conino
Conroy
Corne
Cowen
Drew
Dunlap
Dwyer
Gauthier
Graham

Total—59.

NAYS

Delegates—
Abraham
Bel
Bollinger
Casey
Champagne
De Blieux
Dennery
Derbes
Deshotels
Elkins
Fontenot
Fowler

Total—36.

FLOOR AMENDMENT

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 10 and 11, insert the following:
"Section 1. Notwithstanding any provision contained in this constitution to the contrary, the power of taxation shall not be exercised by the legislature to levy an ad valorem tax upon any property in the state, and such power shall be exclusively vested in political subdivisions to be exercised as provided in this constitution."

Delegate McDaniel moved to withdraw the amendment.
Delegate Mire objected.

By a vote of 79 yeas and 22 nays the amendment was withdrawn.

Motion
Delegate Schmitt moved for a suspension of the rules in order to consider Sections 1(B) and 3(A) together, at this time.
Delegate Gravel objected.

By a vote of 38 yeas and 67 nays the Convention refused to suspend the rules at this time.

Motion
Delegate Duval moved that further action be deferred on Section 1 at this time and that the Convention consider Section 3(A) at this time.
Delegate Winchester objected.

As a substitute Delegate Kean moved that the Convention recess until 2:00 o'clock p.m.

The vote recurred on the substitute motion.
By a vote of 16 yeas and 84 nays the Convention refused to recess until 2:00 o'clock p.m.

On motion of Delegate Duval the motion to defer action on Section 1 was withdrawn.

Motion
Delegate Anzalone moved to suspend the rules to allow the offering of amendments to Section 1 on the subject matter of homestead exemptions and the limitations on the rate of state property taxation.
Delegate Winchester objected.

By a vote of 79 years and 21 nays the rules were suspended.

Delegate Rayburn sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Rayburn to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 15, after the word "taxpayer" add a semi-colon ';' and insert the following:

"Exemptions from Ad Valorem Property Taxation"

AMENDMENT No. 2—

On page 2, between lines 7 and 8, add the following:

"(F) Homesteads shall be exempt from ad valorem property taxation as follows:

From state, parish, and special taxes, the bona fide homestead, consisting of a tract of land, or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other, or tracts not exceeding one hundred sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, in the full amount of three thousand dollars of the assessed valuation; however, by the favorable vote of a majority of the elected members of each house, the legislature may increase this exemption to an amount which shall not exceed the full amount of five thousand dollars of the assessed valuation. Veterans and persons sixty-five years or older shall be provided with a homestead exemption of five thousand dollars of the assessed valuation. No exemption shall be extended to any municipal or city taxes except the following: (1) in Orleans Parish this exemption shall apply to the state, the general city, the school, the levee, and levee board taxes; and (2) to any municipal or city taxes levied for school purposes. The exemption of homesteads shall extend to the surviving spouse or minor child or children of a deceased owner, and to the bona fide homestead when occupied as such and title thereto is in either husband or wife, but this exemption shall not be extended to more than one homestead owned by the husband or wife.

The provisions of this Paragraph shall become effective commencing January 1 of the year following the end of three years after the effective date of this constitution, and until that date the homestead exemptions provided for Article X, Section 4, Paragraphs 9 through 9(b) shall be applicable."

Delegate Rayburn moved the adoption of the amendment.

Delegate Chehardy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—

Mr. Chairman—

Abraham

Anzalone

Aseff

Badeaux

Bel

Bergeron

Blair

Bollinger

Brown

Burns

Burson

Carmouche

Casey

Champagne

Kilbourne

Kilpatrick

Lambert

Landry, A.

Landry, E. J.

Lanier

LeBlanc

Leigh

Lowe

McDaniel

Martin

Mire

Munson

Total—39.

Kilbourne

Kilpatrick

Lambert

Landry, A.

Landry, E. J.

Lanier

LeBlanc

Leigh

Lowe

McDaniel

Martin

Mire

Munson

Total—39.

Newton

Perkins

Planchard

Rachal

Rayburn

Reeves

Ricke

Robinson

Roemer

Schmitt

Shannon

Singleton

Slay

Smith

Soniat

Stagg

Stephenson

Stovall

Sutherland

Tapper

Thistlethwaite

Velazquez

Vick

Wege

Zervigon

NAYS—

Delegate—

Alario

Arnette

Avant

Chehardy

Conino

Flory

Guarisco

Jenkins

Landrum

Leithman

Total—2.

NAYS—

Delegate—

Aertker

Alexander

D'Gerolamo

Drew

Edwards

Total—73.

And the amendments were adopted.

Delegate Rayburn moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stagg to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, on the last line immediately after "(c)" and before the word "shall" insert the words "or the 1921 Constitution"

On motion of Delegate Stagg the amendment was adopted.

Delegate Stagg moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roemer sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Roemer, Velazquez, Champagne, Conroy, Brown, Duval, Newton, Abraham, Stagg and Smith to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, on line 11 of the amendment after the words "vote of" and before the words "of the" strike out the words "a majority" and insert in lieu thereof the words "two-thirds"
Motion
Delegate De Blieux moved the previous question on the amendment.
Delegate Roy objected.
By a vote of 65 yea and 46 nays the previous question was ordered.
Delegate Roemer moved the adoption of the amendment.
Delegate Alario objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

| Delegates       | YEAS            | NAYS
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Deshotel</td>
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<tr>
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<td>Duval</td>
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<td>Maybucke</td>
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<td>Giarrusso</td>
<td>Mire</td>
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<tr>
<td>Brown</td>
<td>Glenn</td>
<td>Nunez</td>
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<td>Burns</td>
<td>Grier</td>
<td>O'Neil</td>
</tr>
<tr>
<td>Buron</td>
<td>Guarisco</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Cannon</td>
<td>Hardee</td>
<td>Roy</td>
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<td>Carmouche</td>
<td>Heine</td>
<td>Segura</td>
</tr>
<tr>
<td>Casey</td>
<td>Jack</td>
<td>Shannon</td>
</tr>
<tr>
<td>Champagne</td>
<td>Juneau</td>
<td>Singletary</td>
</tr>
<tr>
<td>Chatelain</td>
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<td>Smith</td>
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<tr>
<td>Comar</td>
<td>Kelly</td>
<td>Soniat</td>
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<td>Conroy</td>
<td>Kilbourne</td>
<td>Stagg</td>
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<td>Corne</td>
<td>Kilpatrick</td>
<td>Stephenson</td>
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<td>Landry, A.</td>
<td>Sisson</td>
</tr>
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<td>De Blieux</td>
<td>Lanier</td>
<td>Sutherland</td>
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<tr>
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<td>Total—68</td>
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| Delegates       | NAYS
<table>
<thead>
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<tbody>
<tr>
<td>Alario</td>
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<tr>
<td>Asseff</td>
<td>Landry, E. J.</td>
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<td>LeBlanc</td>
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<td>Maubertet</td>
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<tr>
<td>Brien</td>
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<tr>
<td>Chehardy</td>
<td>Mire</td>
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<tr>
<td>Conino</td>
<td>Nunez</td>
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<td>Fayard</td>
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<td>Flory</td>
<td>Rayburn</td>
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<td>Flory</td>
<td>Roy</td>
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<td>Gravel</td>
<td>Segura</td>
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<td>Shannon</td>
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<td>Slay</td>
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<tr>
<td>Jenkins</td>
<td>Wisham</td>
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<tr>
<td>Total—46</td>
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</tbody>
</table>

Delegates—
Mr. Chairman
Aerkker
Alexander
D'Gerolamo
Drew
Dunlap
Total—18.

And the amendment was adopted.
Delegate Roemer moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Chehardy sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegates Chehardy, Toya, Alario, D'Gerolamo, Conino, Ullio, Toomy, Leithman and Nunez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the convention on October 19, 1973, at the end of line 9, after the words "amount of" delete the word "three" and delete lines 10, 11, 12, 13, and 14 of the text of the amendment and insert in lieu thereof the following:
"five thousand dollars of the assessed valuation."

AMENDMENT No. 2—
On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the convention on October 19, 1973, in line 16 of the text of the amendment after the words "exemption of" and before the word "thousand" delete the word "five" and insert in lieu thereof the word "six."

AMENDMENT No. 3—
On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the convention on October 19, 1973, delete lines 29 through 34, both inclusive, in their entirety of the text of the amendment which consists of the last paragraph.

Delegate Chehardy moved the adoption of the amendment.
Delegate De Blieux objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

| Delegates       | YEAS            | NAYS
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Alario</td>
<td>Leithman</td>
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<td>Avant</td>
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<td>Abraham</td>
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<td>Chehardy</td>
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<td>Aerkker</td>
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<tr>
<td>Conino</td>
<td>Nunez</td>
<td>Anzalone</td>
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<tr>
<td>Fayard</td>
<td>O'Neil</td>
<td>Arnette</td>
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<tr>
<td>Flory</td>
<td>Rayburn</td>
<td>Badeaux</td>
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<tr>
<td>Gravel</td>
<td>Roy</td>
<td>Bel</td>
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<td>Jenkins</td>
<td>Segura</td>
<td>Bergeron</td>
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<tr>
<td>Lampte</td>
<td>Singletery</td>
<td>Bollinger</td>
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<tr>
<td>LeBlau</td>
<td>Toby</td>
<td>Brown</td>
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<tr>
<td>Total—34</td>
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</table>

| Delegates       | NAYS
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<tbody>
<tr>
<td>Alario</td>
<td>Dennery</td>
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<td>Asseff</td>
<td>Abraham</td>
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<td>Avant</td>
<td>Aerkker</td>
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<td>Anzalone</td>
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<td>Brien</td>
<td>Arnette</td>
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<td>Chehardy</td>
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<td>Fayard</td>
<td>Bergeron</td>
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<td>Flory</td>
<td>Bollinger</td>
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<td>Gravel</td>
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<td>Hayes</td>
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<td>Hernandez</td>
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<td>Jenkins</td>
<td>Carmouche</td>
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<tr>
<td>Total—46</td>
<td></td>
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</table>

| Delegates       | NOT VOTING
<table>
<thead>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Edwards</td>
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<tr>
<td>Aerkker</td>
<td>Goldman</td>
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<tr>
<td>Alexander</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Drew</td>
<td>Landrum</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Miller</td>
</tr>
<tr>
<td>Total—18</td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was adopted.
68th Days Proceedings—October 19, 1973

Delegate Stovall moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Arnette sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Arnette to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, on line 10 immediately after the word “valuation” change the semicolon “;” to a period “.” and delete the remainder of the line and delete lines 11 through 14, both inclusive, in their entirety including Convention Floor Amendment No. 1 proposed by Mr. Roemer, et al., and adopted by the Convention on October 19, 1973.

Motion
Delegate Stovall moved the previous question on the amendment.
Delegate Fontenot objected.
By a vote of 69 yeas and 24 nays the previous question was ordered.
Delegate Arnette moved the adoption of the amendment.
Delegate Segura objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—

Abraham
Arnette
Bell
Bollinger
Casey
Champagne
Fontenot
Garrusso
Total—22.

Delegates—

Aertker
Alario
Anzalone
Asseff
Avant
Badeaux
Bergeron
Blair
Brown
Burns

Gauthier
Ginn
Graham
Gravel
Guarisco
Hardee
Haynes
Hernandez
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kelly
Lambert
Landry, A.
Landry, E. J.
Lanier
LeLilhman
Lowe
McDaniel
Total—77.

NOT VOTING

Delegates—

Mr. Chairman
Alexander
Brien
D'Geralamo
Drew
Edwards
Goldman
Stagg
Stephenson
Stinson

Mr. Chairman
Jack
Landrum
McDaniel
Miller
Monson
Ourso
Ulo

Delegates—

Hayes
Reeves
Sandoz
Tate
Thistlethwaite
Thompson
Womack

Delegates—

Jackson, J.
Jenkins
Juneau
Kerry
Landry, A.
Landry, E. J.
Lanier
LeLilhman
Hayes
Reeves
Roemer
Roy
Schatz
Segura
Shannon
Singletary
Stay
Smith
VanFossen
Womack

And the amendments were rejected.

Delegate De Blieux moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate De Blieux to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, on line 10 immediately after the word “valuation” change the semicolon “;” to a period “.” and delete the remainder of the line and delete lines 11 through 14, both inclusive, in their entirety including Convention Floor Amendment No. 1 proposed by Mr. Roemer, et al., and adopted by the Convention on October 19, 1973.

Motion
Delegate De Blieux moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate De Blieux to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, on line 10 immediately after the word “valuation” change the semicolon “;” to a period “.” and delete the remainder of the line and delete lines 11 through 14, both inclusive, in their entirety including Convention Floor Amendment No. 1 proposed by Mr. Roemer, et al., and adopted by the Convention on October 19, 1973.

Motion
On motion of Delegate Burson the previous question was ordered on the amendment.
Delegate De Blieux moved to reconsider the vote by which the previous question was ordered.
Delegate Rayburn objected.
By a vote of 38 years and 61 nays the Convention refused to reconsider the vote.
Delegate De Blieux moved the adoption of the amendment.
Delegate Rayburn objected.

462
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<th>Delegates—</th>
<th>Schmitt</th>
<th>Stinson</th>
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<tbody>
<tr>
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**NAYS**

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<td>Cheharry</td>
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**NOT VOTING**

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<tr>
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<tr>
<td>Abraham</td>
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<td>Total—28</td>
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</table>

And the amendment was rejected.

Delegate Roemer moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Hernandez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Hernandez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, at the end of line 8, after the words “amount of” delete the word “three” and delete lines 10, 11, 12, 13, and 14 of the text of the amendment and insert in lieu thereof the following:

“four thousand dollars of the assessed valuation.”

On motion of Delegate Schmitt a division of the question was ordered.

Delegate Alario moved the adoption of the amendment No. 1.

Delegate Burns objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Alario</td>
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<tr>
<td>O’Neill</td>
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Jackson, A.  
Jackson, J.  
Juneau  
Kean  
Kelly  
Kimberly  
Kilpatrick  
Lambert  
Landry, A.  
Landry, E. J.  
Lanier  
Leigh  
Lennox  
Lowell  
McDaniel  
Martin  
Mire  
Newton  
Perez  
Toomey  
Ullo  
Vesich  
Vick  
Warren  
Wattigny  
Weiss  
Willis  
Winchester  
Wisam
And the amendment was rejected.

Delegate Burns moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alario moved the adoption of the amendment No. 2.

Delegate Burns objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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**NAYS**

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<td>Lowo</td>
<td>Vick</td>
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<td>McDaniell</td>
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**NOT VOTING**

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<tr>
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<td><strong>Total—25</strong></td>
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</table>

And the amendment was rejected.

Delegate Burns moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Velazquez sent up a floor amendment, which was ead as follows:

**FLOOR AMENDMENT**

Proposal amended by Delegate Velazquez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following:

"The legislature shall provide for a system whereby whenever the property tax on a homestead rises to more than 11% of the household income, the excess amount will be refunded by the state."

Delegate Velazquez moved the adoption of the amendment.

Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
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<tr>
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<td>Rachal</td>
<td>Velazquez</td>
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<td>Jackson, J.</td>
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**NAYS**

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<td><strong>Total—86</strong></td>
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NOT VOTING

Delegates—
Mr. Chairman—Goldman
Abraham—Hernandez
Alexander—Jack
Bollinger—Kilbourne
Brien—Laudrum
D’Gerolamo—Landry, A.
Drew—Miller
Dunlap—Munson
Edwards—Ourso
Fontenot—Total—28.

And the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following: “The legislature shall adopt laws providing for tax credits or rebates to tenants renting homes on a percentage of rent attributable to property taxes, in a manner provided by law.”

On motion of Delegate J. Jackson the amendment was withdrawn.

Delegate J. Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following: “The legislature shall adopt laws providing for tax credits or rebates to tenants renting homes on a percentage of rent attributable to property taxes, in a manner provided by law.”

Delegate J. Jackson moved the adoption of the amendment. Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alfaro—Burson
Bel—Casey
Bergeron—Champagne
Brown—Chehardy

Coninno—De Blieux
Donnery—Derbes

NAYS

Delegates—
Aertker—Graham
Arata—Grier
Arnette—Hardee
Assiff—Jenkins
Avant—Juneau
Badeaux—Kear
Blair—Lambert
Burns—Landry, A.
Cannon—Landry, E. J.
Carmouche—Lanier
Chatelain—LeBlanc
Conroy—Leigh
Corne—Lenox
Dennis—Lowe
Deshotel— McDaniels
Duval—Martin
Ekins—MouBerret
Fayard—Mire
Fowler—Newton
Fulco—Nunez
Giarrusso—Ullo

Ullo—Weiss

Toomay—Velasquez
Vaughn—Vesich
Wall—Warren
Wattnig—Wills
Zervigon—Zervigon

O’Neill—Perkins
Rayburn—Reeves
Robinson—Roemer
Roy—Segura
Sangletary—Slay
Smith—Stagg
Stinson—Sutherland
Thistlewhite—Ullo
Ullo—Weiss
Vivian—Winchester
Womack—Wisam

NOT VOTING

Delegates—
Mr. Chairman—Edwards
Abraham—Fontenot
Alexander—Goldman
Bollinger—Heine
Brien—Hernandez
Comar—Jack
Cowen—Kilbourne
D’Gerolamo—Laudrum
Drew—Miller
Dunlap—Munson

Not voting—Ourso

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68th Days Proceedings—October 19, 1973

Amendment after the words “exemption of” and before the word “thousand” delete the word “five” and insert in lieu thereof the word “six”.

Delegate Nunez moved the adoption of the amendment.
Delegate Stagg objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

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<th>Delegates</th>
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NOT VOTING

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And the amendment was rejected.
Delegate Zervigon moved to reconsider the vote by which the amendment was rejected, and on her own motion, the motion to reconsider was laid on the table.
Delegate Nunez sent up a floor amendment, which was as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Nunez, Alario, Avant, Chehardy, Flory, Kilpatrick, Leithman, Maubertet, Riecke, Gauthier, Soniat, Tooma, Toça, Willis and Winchester to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 7 and 8 in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the convention on October 19, 1973, in line 16 of the text of the
sitional Measures of the Committee on Local and Parochial Government, sent up the following notice:

The Sub-committee on Transitional Measures of the Committee on Local and Parochial Government will meet on Wednesday, October 24, 1973, immediately after adjournment in Committee Room No. 5 and will consider the following agenda:

AGENDA
Consider and dispose of transitional matters.

Respectfully submitted,
WALTER I. LANIER, JR.,
Chairman of the Sub-committee on Transitional Measures of the Committee on Local and Parochial Government.

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Brien—1 day.
Delegate Pugh—2 days.
Delegate Alexander—3 days.
Delegate Thompson—2 days.
Delegate Sandoz—1 day.
Delegate Goldman—2 days.

Adjournment
Delegate Stagg moved that the Convention do now adjourn until Saturday, October 20, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Saturday, October 20, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

SIXTY-NINTH DAY’S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Saturday, October 20, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o’clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their
names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aetker
Alario
Anzalone
Arnette
Assef
Avant
Badeaux
Bel
Bergeron
Blair
Brown
Burns
Burson
Cannon
Cormeouche
Casey
Champagne
Chatelan
Chehardy
Comar
Conino
Conroy
Corne
Cowen
De Blieux
Dennery
Dennis
Derbes
Deshotels
Dunlap
Duval
Edwards
Elkins
Eyard
Flory
Fontenot
Fowler
Fulco
Perez
Perkins
Ginn
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Hayes
Heine
Hernandez
Jackson
Jackson
Jackson
Kamins
Kean
Kelly
Kimbel
Kimball
Lambert
Landry
Landry
Landry
LeBlanc
Leithman
Lennox
Lowe
McDaniel
Martin
Maubert
Maybeau
Mire
Munson
Newton
Nunez
O’Neill
Oursa

Total—122.

ABSENT

Delegates—
Alexander
Bollinger
D’Gerolamo
Drew
Goldman
Miller
Pugh
Tate
Thompson
Womack

Total—10.

The Chairman announced that there were 122 members present and a quorum.

Prayer

Prayer was offered by Delegate Heine.

Pledge of Allegiance

Delegate Stagg led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Roy, the reading of the Journal was dispensed with.

On motion of Delegate Roy, the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the House was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introducing Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance, and Taxation, and Delegate Alario, Brown, Chehardy, Edwards, Goldman, Maubert, Mire, Nunez, Planchar, Slay, and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section 1. Assessment of Property; Classification; Assessments; Right of Taxpayer

Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value; such percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each such classification for the purpose of determining assessed valuation are as follows:

CLASSIFICATIONS: PERCENTAGES:
1. All land ------------------------------- 5%
2. Improvements on residential property ------------------- 10%
3. All other property --------------- 15%

(C) Assessors shall determine the fair market value of all property subject to taxation within their respective parishes and districts except public service properties which shall be valued by the Louisiana Tax Commission. All property subject to taxation shall be reappraised at intervals of not more than five years.

(D) The correctness of assessments by the assessor shall be subject to review by the governing authority of the parish, then by the Louisiana Tax Commission, and finally by the courts in accordance with procedures established by law.

(E) The legislature may provide that agricultural, horticultural, and timber lands will be assessed for the purpose of taxation at a percentage of use value rather than fair market value.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 26, Section 1, when it adjourned on Thursday, October 19, 1973, which was taken up and acted upon as follows:

Delegate Hernandez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Hernandez, Alario, Badenex, Bel, Chatelan, Chehardy, Conroy, Dennis, Flory, Fulco, Grier, Hecine, Jack, A. Landry, E. J. Landry, Lanier, Lowe, Martin, Nunez, Planchar, Rachal, Rayburn, Riecke, Robin-

648.
PAGE 2
69th Days Proceedings—October 20, 1973


Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, on line 15, immediately after the word “Veterans” and before the words “and persons,” add the following: “of the armed forces of the United States who have been honorably discharged or separated from such services or persons who served in said armed forces, as defined by general law,”

Delegate Hernandez moved the adoption of the amendment.

Delegate Wattigny objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Arnette
Asseff
Badeaux
Be:
Bergeron
Blair
Brien
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conno
Conroy
Cowan
De Blieux
Dennery
Dennis
Elkins
Flory
Fontenot
Fowler
Total—86.

Delegates—
Segura
Singleton
Tapper
Total—44.

And the amendment was adopted.

Delegate Hernandez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Ulo sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Ullo to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the Convention on October 19, 1973, on line 17 of said amendment after the words “assessed valuation” and before the words “No exemption” change the period “;” to a semicolon “;”

“however, by the favorable vote of two-thirds of the elected members of each house, the legislature may increase this exemption to an amount which shall not exceed the full amount of seven thousand dollars of the assessed valuation.”

Delegate Ulo moved the adoption of the amendment.

Delegate Casey objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Aertker
Alario
Arnette
Asseff
Badeaux
Be:
Blair
Brien
Burns
Burson
Carmouche
Casey
Champagne
Chatelain
Comar
Conroy
Cowan
De Blieux
Dennery
Dennis
Elkins
Flory
Fontenot
Fowler
Total—25.

NAYS

Delegates—
Segura
Singleton
Tapper
Total—44.

Delegates—
Mr. Chairman
Alexander
Anzalone
Bollinger
Brown
Total—62.

NOT VOTING

Delegates—
Alexander
Anzalone
Bollinger
Brown
Total—Dunlap
Derbes
Deshots
Total—62.

NOT VOTING
And the amendment was rejected.

Delegate Casey moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate De Blieux sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate De Blieux to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT NO. 1**

On page 1, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, delete lines 9 through 16, both inclusive, in their entirety and on line 17, at the beginning of the line delete the words "dollars of the assessed valuation" and insert in lieu thereof the following: "occupied by any person, in the full amount of thirty thousand dollars of the fair market value. Veterans and persons sixty-five years or older shall be provided a homestead exemption of fifty thousand dollars of the fair market value. However, by the favorable vote of two-thirds of the elected members of each house, the legislature may increase the homestead exemption to an amount which shall not exceed the full amount of fifty thousand dollars of the fair market value. Any percentage of fair market value provided for in Section 1, Paragraph (B) shall be applied to any excess of the value of the exemptions granted herein."

Delegate De Blieux moved the adoption of the amendment.

Delegate Chatelain objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Abraham — Fontenot
Aertker — Fulco
Alario — Gauthier
Bergeron — Gauthier
Champagne — Gauthier
Conroy — Hardee
De Blieux — Haynes
Dennis — Lanier
Deshotels — LeBlanc
Elkins — Dummer
Fayard — Lowe

Total—32.

**NAYS**

Delegates—

Arnette — Burson
Asseff — Cannon
Avant — Carmouche
Badoux — Carras
Bell — Chatelain
Blair — Chehardy
Bren — Comar
Burns — Conino

Total—40.

**NOT VOTING**

Delegates—

Mr. Chairman
Alex
Anzalone
Bollinger
Brown
Corne
Crown
D'Gerolamo
Drew

Total—29.

And the amendment was rejected.

Delegate Chatelain moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Nunez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Nunez, Alario, Chehardy and Toca to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT NO. 1**

On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, on line 15 of said amendment, after the language added by Floor Amendment No. 1 proposed by Delegate Hernandez, and adopted by the Convention on October 20, 1973, after the words and punctuation "general law," of the Hernandez amendment add the words and punctuation "widows,"

Delegate Nunez moved the adoption of the amendment.

Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Aertker — Hayes
Alario — Heine
Asseff — Jackson, J.
Avant — Jenkin
Badoux — Junen
Bergeron — Kelly
Blair — Landry, E. J.
Bren — LeBlanc
Cannon — Leithman
Conino — Maubeure
Denney — Munson
Elkins — Nunez
Flory — O'Neill
Gauthier — Planchard
Gravel — Rachal

Total—50.

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650
Delegates—

NAYS

Abraham
Anzalone
Arnette
Bel
Burns
Burson
Carmouche
Casey
Chamagne
Chatelain
Comar
Conroy
De Blieux
Dennis
Fayard
Fontenot
Fowler
Fulco

Total—53.

NOT VOTING

Mr. Chairman
Alexander
Bollinger
Brown
Corne
Cullen
D’Gerolamo
Derbes
Deshotels
Drew
Dunlap

Total—31.

And the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Velazquez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Velazquez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following:

“The legislature shall provide for a system whereby the ad valorem property tax on a homestead is limited to seven percent of the gross income of all household members. Any refund shall be made only after application by the taxpayer in the form of an affidavit certifying the gross income of all household members.”

Delegate Velazquez moved the adoption of the amendment.

Delegate Roemer objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Alario
Asseff
Chehardy
De Blieux
Hayes

Jackson, J.
Landrum
Landry, E. J.
LeBlanc
Leithman

Lennox
Maubernet
Nuez
Perkins
Rachal

**NAYS**

Riecke
Schmitt
Slovak
Sutherland
Tapper

Rayburn
Riecke
Roemer
Sanchez
Schmitt
Singletary

Wall
Warren
Winchester

Delegates—

Abraham
Aertker
Anzalone
Arnette
Avant
Badeaux
Bergeron
Blair
Brien
Burns
Burson
Cannon
Carmouche
Casey
Chamagne
Chatelain
Comar
Conino
Conroy
Cowan
Dennis
Dunlap
Duval
Fayard
Flory

Fontenot
Fowler
Fulco

Giarusso
Graham
Grier
Guarisco
Hardee
Hernandez
Jackson, A.
Kean
Kilpatrick
Landry, A.
Lanier
Lennox
Lowe
McDaniel
Martin
Mire
Newton

Ours
Perez
Perkins
Pugh
Robinson
Roy
Shannon
Tate
Thompson
Womack

**NOT VOTING**

Mr. Chairman
Alexander
Bollinger
Brown
Corne
Cullen
D’Gerolamo
Derbes
Deshotels
Drew
Dunlap

Duval
Edwards
Ginn
Goldman
Haynes
Kilbourne
Lambert
Landrum
Maybuc
Miller

Ourso
Perez
Perkins
Pugh
Robinson
Roy
Shannon
Tate
Thompson
Womack

**NAYS**

Toca
Toomy
Ulb
Velazquez
Vesich

Newton
Fowler
Fulco
Gauthier
Ginn
Graham
Gravel
Grier
Harder
Heine
Hernandez
Jack
Jenkins
Juneau
Kean
Kelly
Kilpatrick
Landry, A.
Lanier
Leigh
Lowe
Martin
Mire
Munson

Wall
Warren
Winchester

Delegates—

Fontenot
Fowler
Fulco
Giarusso
Ginn
Graham
Gravel
Grier
Harder
Heine
Hernandez
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Jenkins
Juneau
Kean
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Kilpatrick
Landry, A.
Lanier
Leigh
Lowe
Martin
Mire
Munson

Weltz
Weiss
Willis
Wisham
Zervigon

**FLOOR AMENDMENT**

Amendment proposed by Delegate Velazquez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following:

“The legislature shall provide for a system whereby the ad valorem property tax on a homestead is limited to three percent of the fair market value of the homestead. Any refund shall be made only after application by the taxpayer in the form of an affidavit certifying the gross income of all household members.”

On motion of Delegate Velazquez the amendment was withdrawn.

Delegate Velazquez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Velazquez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following:

"The legislature shall provide for a system whereby the ad valorem property tax on a homestead is limited to three percent of the fair market value of the homestead. Any refund shall be made only after application by the taxpayer in the form of an affidavit."

Delegate Velazquez moved the adoption of the amendment.

Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

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<td>Jenkins</td>
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<tr>
<td>Kelly</td>
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<tr>
<td>Kilbourne</td>
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<td>McDaniel</td>
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<td>Miller</td>
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<td>O'Neill</td>
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<td>Oruso</td>
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<td>Pugh</td>
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<td>Robinson</td>
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<tr>
<td>Roy</td>
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<tr>
<td>Tate</td>
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<tr>
<td>Thompson</td>
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<tr>
<td>Wall</td>
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<tr>
<td>Womack</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Sutherland moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate J. Jackson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate J. Jackson to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following:

"Notwithstanding anything in this Constitution to the contrary, in order to provide equitable tax relief similar to that granted to homeowners through homestead property tax exemptions, the legislature may provide for tax relief to residential lessees in the form of credits or rebates."

Delegate J. Jackson moved the adoption of the amendment.

Delegate Willis objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>YEAS</td>
</tr>
<tr>
<td>Graham</td>
</tr>
<tr>
<td>Alario</td>
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<tr>
<td>Arnette</td>
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<tr>
<td>Avant</td>
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<td>Bergeron</td>
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<tr>
<td>Brown</td>
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<tr>
<td>Casey</td>
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<td>Changl</td>
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<tr>
<td>Comar</td>
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<tr>
<td>Conino</td>
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<tr>
<td>De Bieple</td>
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<td>Demery</td>
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<td>Derbes</td>
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<td>Flore</td>
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<td>Fulco</td>
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<tr>
<td>Gauthier</td>
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<tr>
<td>Ginn</td>
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<tr>
<td>Total—57.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aertker</td>
</tr>
<tr>
<td>Anzalone</td>
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<tr>
<td>Arnette</td>
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<tr>
<td>Avant</td>
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<td>Bergeron</td>
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<td>Badeaux</td>
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<td>Blair</td>
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<td>Brown</td>
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<td>Burn</td>
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<td>Busson</td>
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<tr>
<td>Cannon</td>
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<td>Carmouch</td>
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<td>Case</td>
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<td>Champl</td>
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<td>Chatelin</td>
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<td>Comar</td>
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<td>Conino</td>
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<td>Conroy</td>
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<td>Cowen</td>
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<td>De Bieple</td>
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<td>Denney</td>
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<tr>
<td>Derbes</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Duval</td>
</tr>
<tr>
<td>Elkins</td>
</tr>
<tr>
<td>Foanet</td>
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<tr>
<td>Total—52.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>NOT VOTING</td>
</tr>
<tr>
<td>Fayard</td>
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<tr>
<td>Guarisco</td>
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<tr>
<td>Haynes</td>
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<tr>
<td>Jackson, A.</td>
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<tr>
<td>Jenkins</td>
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<tr>
<td>Kelly</td>
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<tr>
<td>Kilbourne</td>
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<tr>
<td>McDaniel</td>
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<tr>
<td>Miller</td>
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<tr>
<td>O'Neill</td>
</tr>
</tbody>
</table>

And the amendment was adopted.

652
Delegate J. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alario sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Nunez, Alario, Chehardy and Toca to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—

On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, on line 15 of said amendment, after the language added by Floor Amendment No. 1 proposed by Delegate Hernandez, and adopted by the Convention on October 20, 1973, after the words and punctuation "general law," of the Hernandez amendment add the words and punctuation "physically handicapped as defined by law, widows."

Delegate Alario moved the adoption of the amendment.

Delegate Rayburn objected.

By a vote of 29 yeas and 71 nays the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate McDaniel sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate McDaniel to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—

On page 1, line 12, after the word "Taxpayer" insert a semicolon ";" and add the following: "Property Taxation, Limitation"

**AMENDMENT No. 2**—

On page 2, between lines 7 and 8, add the following Paragraph: (G). Notwithstanding any provision contained in this constitution to the contrary, the power of taxation shall not be exercised by the legislature to levy an ad valorem tax upon any property in the state, and such power shall be exclusively vested in political subdivisions to be exercised as provided in this constitution.

Delegate McDaniel moved the adoption of the amendment.

Delegate Lowe objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Abraham</td>
<td></td>
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<tr>
<td>Alario</td>
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<td>Arnette</td>
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<td>Bergeron</td>
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<td>Burson</td>
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<td>Cannon</td>
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<td>Carmouche</td>
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<td>Casey</td>
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<td>Leachie</td>
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<td>Lennox</td>
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<td>McDaniel</td>
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<td>Maybaker</td>
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<tr>
<td>Nunez</td>
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<td>O'Neill</td>
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<tr>
<td>Perez</td>
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<tr>
<td>Total—48.</td>
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</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Aertker</td>
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<td>Anzalone</td>
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<td>Avant</td>
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<td>Badeaux</td>
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<td>Blair</td>
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<td>Brown</td>
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<td>Burns</td>
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<td>Chatelain</td>
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<td>Chehardy</td>
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<td>Conroy</td>
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<td>Fowler</td>
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<td>Gauthier</td>
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<td>Giartuso</td>
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<td>Total—60.</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Reeves moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate O'Neill moved that Convention take up other Orders of Business at this time.

Delegate Abraham objected.

By a vote of 60 yeas and 40 nays the Convention took up other Orders of Business.

**Leave of Absence**

Delegate Bollinger—1 day.

**Adjournment**

Delegate Lennox moved that the Convention do now adjourn until Tuesday, October 23, 1973, at 1:00 o'clock P.M.

As a substitute Delegate Shannon moved that the Convention adjourn until Wednesday, October 24, 1973, at 10:00 o'clock A.M.

Delegate Lennox objected.

By a vote of 36 yeas and 59 nays the Convention refused to adjourn until Wednesday, October 24, 1973, at 9:00 o'clock A.M.

As a further substitute Delegate Jack moved that the Convention adjourn until Wednesday, October 24, 1973, at 9:00 o'clock A.M.

Delegate Lennox objected.

By a vote of 36 yeas and 67 nays the Convention refused to adjourn until Wednesday, October 24, 1973, at 9:00 o'clock A.M.
On motion of Delegate Lennox the Convention adjourned until Tuesday, October 23, 1973, at 1:00 o'clock P.M.

And Vice-Chairman Casey declared the Convention adjourned to Tuesday, October 23, 1973, at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Pugh.

Pledge of Allegiance

Delegate D’Gerolamo led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

On motion of Delegate Roemer, the reading of the Journal was dispensed with.

On motion of Delegate Roemer, the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Proposed by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberry, Miere, Nunez, Planchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section I. Assessment of Property; Classification; Assessors; Right of Taxpayer:

Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value; such percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each such classification for the purpose of determining assessed valuation are as follows:

<table>
<thead>
<tr>
<th>CLASSIFICATIONS:</th>
<th>PERCENTAGES:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. All land</td>
<td>5%</td>
</tr>
<tr>
<td>2. Improvements on residential property</td>
<td>10%</td>
</tr>
<tr>
<td>3. All other property</td>
<td>15%</td>
</tr>
</tbody>
</table>

(C) Assessors shall determine the fair market value of all property subject to taxation within their respective parishes and districts except public service properties which shall be valued by the Louisiana Tax Commission. All property subject to taxation shall be re-appraised at intervals of not more than five years.

(D) The correctness of assessments by the assessor shall be subject to review by the governing authority of the parish, then by the Louisiana Tax Commission, and finally by the courts in accordance with procedures established by law.

(E) The legislature may provide that agricultural, horticultural and timber lands will be assessed for the purpose of taxation at a percentage of use value rather than fair market value.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 26, Section I, when it adjourned on Thursday, October 20, 1973, which was taken up and acted upon as follows:

Delegate Anzalone sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Anzalone and Flory to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, strike out lines 12 through 32, both inclusive, in their entirety and on page 2, delete lines 1 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

Section 1. Assessment of Property; Assessment of Property in Multi-Parish Districts; Limitations

Section 1. (A) Each property subject to ad valorem taxation shall be assessed by the assessor uniformly throughout his parish or district at a percentage of its fair market value of one percent, subject to the provisions hereof, and shall be listed by him on the assessment rolls at its assessed valuation. The percentage of fair market value or use value used by the assessor as a basis for determining the assessed valuation shall also be listed on the assessment rolls. Such percentage shall be determined by the assessor; however, a parish or municipal governing authority, by a vote of at least two-thirds of its elected membership may direct the assessor to assess property located within its jurisdiction for the tax purposes of that jurisdiction at a different percentage of its value, but the rate shall be no greater than the maximums and no less than the minimums provided in Paragraph (D) of this Section. Notwithstanding the foregoing, in a parish which has more than one elected assessor, the parish governing authority shall determine the percentage of fair market value or use value to be used for assessment purposes, in accordance with the provisions of Paragraph (D) hereof.

(B) The fair market value of public service properties shall be determined by the Louisiana Tax Commission and these valuations shall be certified to the various assessors, who shall fix the assessed value of such property based upon the percentage of fair market value as provided in Paragraph (D) of this Section.

(C) Agricultural, horticultural, and timber lands shall be assessed for the purpose of taxation at a percentage of use value rather than fair market value.

(D) The assessed valuation of land and improvements, whether residential rental or owner occupied, shall not be less than five percent or more than fifteen percent of current fair market value. The assessed valuation of property shall not be less than ten percent or more than twenty-five percent of current fair market value. The assessed valuations of agricultural, horticultural and timber lands shall be ten percent of use value.

(E) For all taxes levied by a multi-parish district, the governing authority of such multi-parish district shall fix the percentage of fair market value or use value, which shall be uniform throughout the district, in accordance with Paragraph (D).

(F) The legislature shall provide a uniform method for determining fair market value and use value. All property subject to taxation shall be reappraised on the basis of its current fair market value or use value at least once every five years.

Delegate Winchester suggested the absence of a quorum.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aertker
Alario
Anzalone
Avant
Badeaux
Blair
Boiling
Brown
Burns
Cannon
Carmouche
Chalmet
Chereau
Chehardy
Conroy
Corne
De Bieaux
Derbes
Dennis
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Heine
Hernandez
Jackson, A.
Jackson, J.
Jennings
Jenks
Jenks
Kelly
Kilbourne
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
Leithman
Notes—
Lennox
Lowe
McDaniel
Martin
Mauherret
Maybloom
Miller
Mire
Munson
Newton
Nunez
O'Niel
Perez
Perkins
Plannar
Pugh
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandez

NAYS

Delegates—
Aertker
Armotte
Aseff
Badeaux
Blair
Boiling
Brown
Burns
Cannon
Carmouche
Chalmet
Chereau
Conroy
Corne
De Bieaux
Dennis

ABSENT

Not Voting

Alexander
Haynes
Buren
Burson
Dennery
Drew
Dunlap
Duval
Edwards

Total—110.

Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Heine

Note:

Lentox
Lowel
McDaniel
Martin
Mauherret
Maybloom
Miller
Mire
Munson
Newton
Nunez
O'Niel
Perez
Perkins
Plannar
Pugh
Rayburn
Reeves
Riecke
Robinson
Roemer
Roy
Sandez

Notes:

Ginn
Goldman
Graham
Gravel
Mauherret
Miller
Mire
Munson

Schmitt
Shannon
Slay
Smith
Soniat
Stagg
Sutherland
Tapper
Tobias
Toca
Toomy
Tommy
Ullo
Velazquez
Vesich
Vick
Wall
Warren
Watigney
Willis
Winchester
Wisdom
Zerigan

And the Chairman announced that there were 110 members present and a quorum.

Delegate Anzalone moved the adoption of the amendment. Delegate Mire objection.

A record vote was asked for and ordered by the Convention.
PAGE 3
70th Days Proceedings—October 23, 1973

Newton Robinson SLAGG
O’Neill Roemer Sutherland
Perkins Roy Tupper
Pinchard Sandoz Thompson
Pugh Shannon Vesich
Rayburn Slay Wattigay
Reeves Smith Winchester

Total—72.

NOT VOTING

Delegates—
Mr. Chairman Duvall Singleterry
Alexander Edwards Stephenson
Bel Haynes Stinson
Burson Kilpatrick Stovall
Cowen LeBlanc Tate
Dennery Lehe Thistlethwaite
Drew Ourso Weiss
Dunlap Segura Womack

Total—24.

And the amendment was rejected.

Delegate Champagne moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Shannon moved the previous question on the Section.

Delegate Mire objected.

By a vote of 8 yeas and 102 nays the Convention refused to order the previous question on the Section.

Delegate Mire sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Mire to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 2—

On page 2, between lines 7 and 8, in Floor Amendment No. 2 proposed by Delegate Rayburn and adopted by the convention on October 19, 1973, delete lines 29 through 44, both inclusive, of the text of the amendment, in their entirety.

On motion of Delegate Mire the amendments were adopted.

Delegate Mire moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Avant sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Avant to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 13 through 21, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. (A) All property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation which shall be a percentage of its fair market value or its current use value; such percentage of fair market value or current use value shall be uniform throughout the state upon the same class of property.

(B) The classifications of property subject to ad valorem taxation and the percentage of fair market value or current use value applicable to each such classification for the purpose of determining assessed valuation are as follows:

CLASSIFICATIONS: PERCENTAGE
1. Agricultural, Horticultural, and Timber Lands -------- 10% of Current Use Value
2. All Other Lands -------- 10% of Fair Market Value
3. Improvements for Residential Purposes -------- 16% of Fair Market Value
4. All Other Property -------- 15% of Fair Market Value

(C) Assessors shall determine the fair market value and current use value of all property subject to taxation within their respective parishes and districts except public service properties which shall be valued by the Louisiana Tax Commission. All property subject to taxation shall be re-appraised at intervals of not more than five years."

AMENDMENT No. 2—

On page 2, delete lines 4 through 7, both inclusive, in their entirety.

On motion of Delegate Avant the amendments were withdrawn.

Delegate Kean sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Kean and Pugh to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, between lines 25 and 26, insert the following:

"The above percentages may be increased, by general law or by special law applicable to a parish, adopted by a vote of two-thirds of the elected membership of each house, provided no percentage shall exceed twenty percent of the fair market value, and provided, further, that unless such increased percentage is of uniform statewide application, then the homestead exemption shall not be applicable to the increase."

Motion

Delegate O’Neill moved for a suspension in order to allow Delegate Kean an additional five minutes, in excess of that provided by the rules, in order to answer question pertaining to the amendment.

Delegate Newton objected.
By a vote of 79 yeas and 6 nays the rules were suspended.

On motion of Delegate Kean the amendment was withdrawn.

Delegate Perez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Perez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 29 immediately after the word “valued” and before the word “by” insert “at fair market value”.

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Perez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 30, between the words “re-appraised” and “at” insert the words “at fair market value”

On motion of Delegate Perez the previous question was ordered on the amendment.

On motion of Delegate Perez, and under a suspension of the rules the amendment was withdrawn.

Delegate Newton sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Newton to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 31, immediately after the word “than” and before the word “years” delete the word “five” and insert in lieu thereof the word “four”

Delegate Newton moved the adoption of the amendment.

Delegate Chehardy objected.

By a vote of 71 yeas and 40 nays the amendment was adopted.

Delegate Newton moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Abraham to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, line 31, after the word and punctuation “years” add the following:

“The legislature shall provide a uniform method for de-termining the fair market value of property throughout the state.”

Delegate Abraham moved the adoption of the amendment.

Delegate Mire objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

DELEGATES

YEAS

Abraham
Fayard
Peretz

Asseff
Fontenot
Perkins

Avant
Graham
Rachal

Badeaux
Grier
Roberson

Bergeron
Hernandez
Schmitt

Blake
Jack
Singletary

Bollinger
Juneau
Smith

Brown
Kean
Stovall

Burns
Kelly
Sutherland

Carmouche
Landry, E. J.
Tobin

Champlin
Lanier
Vick

Chehardy
McDaniel
Warren

Conino
Maybucke
Womack

Cowan
Miller
Zervigon

Edwards

Fulco

Gauthier

Giarusso

Total—52.

NAYS

Goldman
Goldman
Rayburn

Gravel
Gravel
Riecke

Haynes
Haynes
Roy

Jackson, A.
Jackson, J.
Sandoz

Jenkins
Kilbourne
Shannon

Kilpatrick
Lambert
Slay

Landrum
Landry, A.
Soniat

Leichman
Lennox
Stephenson

Lowe
Lowe
Tapper

Mauberret
Mire
Thompson

Newton
Newton
Toca

O'Neill
O'Neill
Toomy

Planchard
Planchard
Ullo

Pugh
Pugh
Vessieh

Total—49.

NOT VOTING

Delegates—

Mr. Chairman

Alexander

Bel

Brien

Drew

Dunlap

Duval

Total—21.

Ginn

Guarisco

Heine

LeBlanc

Leigh

Martin

Munson

Segura

Stagg

Stinson

Tate

Thistlethwaite

Velasquez

Weiss

And the amendment was rejected.

Delegate Winchester moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kilpatrick sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Kilpatrick, Kelly, McDaniel, Roemer and Gravel to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—

On page 2, delete lines 4 through 7, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) The legislature shall provide that bona fide agricultural, horticultural, and timber lands, as defined by general law, will be assessed for the purpose of taxation at ten percent of use value rather than fair market value."

Delegate Kelly moved the adoption of the amendment.

Delegate Pugh objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>Delegates—</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Newton</td>
</tr>
</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates—</th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
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<tr>
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NOT VOTING

<table>
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</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
</tr>
<tr>
<td>Alexander</td>
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<tr>
<td>Bel</td>
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<tr>
<td>Brien</td>
</tr>
<tr>
<td>Drew</td>
</tr>
<tr>
<td>Dunlap</td>
</tr>
<tr>
<td>Hayes</td>
</tr>
<tr>
<td>Haynes</td>
</tr>
<tr>
<td>Total—42.</td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Kelly moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Derbes sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, in Convention Floor Amendment No. 1 proposed by Miss Kilpatrick and adopted by the Convention on October 23, 1973, at the end of the language inserted thereby, add the following:

"(E) The legislature may make similar provisions for buildings of historic architectural importance."

Delegate Derbes moved the adoption of the amendment. Delegate Lenox objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Abraham</td>
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<td></td>
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<td></td>
<td>Brown</td>
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<td>Champlagne</td>
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<td>Conroy</td>
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<tr>
<td></td>
<td>De Blieux</td>
</tr>
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<td></td>
<td>Deshotels</td>
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<td>Giarusso</td>
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<td></td>
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<td></td>
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NAYS

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Alario</td>
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<td>Mauberret</td>
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<td>Total—4.</td>
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</table>

NOT VOTING

<table>
<thead>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Aertker</td>
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<tr>
<td>Alexander</td>
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<tr>
<td>Bel</td>
</tr>
<tr>
<td>Brien</td>
</tr>
<tr>
<td>Drew</td>
</tr>
<tr>
<td>Dunlap</td>
</tr>
<tr>
<td>Edwards</td>
</tr>
<tr>
<td>Haynes</td>
</tr>
<tr>
<td>Total—50.</td>
</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Derbes moved to reconsider the vote by which
the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Pugh to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as reengrossed proposal as follows:

AMENDMENT No. 1—

On page 2, in Convention Floor Amendment No. 1 proposed by Miss Kilpatrick, et al., and adopted by the Convention on October 23, 1973, on line 1 of the language added by said amendment, strike out the words "The legislature shall provide that bona" and insert in lieu thereof the word "Bona"

Delegate Pugh moved the adoption of the amendment.

Delegate Conroy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

Delegates—

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
<th>Nays</th>
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<tbody>
<tr>
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<td>Assiff</td>
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<td>Reeves</td>
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<tr>
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<td>Riecke</td>
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<td>Robinson</td>
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<td>Segura</td>
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<td>Juneau</td>
<td>Stovall</td>
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<tr>
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<td>Kean</td>
<td>Sutherland</td>
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<td>Kilpatrick</td>
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<td>Cowen</td>
<td>Landry, A</td>
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<td>D'Gerolamo</td>
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<td>De Bieux</td>
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<td>Lennox</td>
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<td>Dennis</td>
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<tr>
<td>Derbes</td>
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<tr>
<td>Deshotes</td>
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<td>Zervigon</td>
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Total—98.

NAYS

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<tr>
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<th>Landrum</th>
<th>Mubbert</th>
<th>Tobias</th>
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<tbody>
<tr>
<td>Conroy</td>
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<td></td>
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</tr>
<tr>
<td>Gauthier</td>
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Total—6.

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Lambert</th>
<th>LeBlue</th>
<th>Roy</th>
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</thead>
<tbody>
<tr>
<td>Aertker</td>
<td></td>
<td>Leigh</td>
<td>Stinson</td>
</tr>
<tr>
<td>Alexander</td>
<td></td>
<td>Leithman</td>
<td>Tapper</td>
</tr>
<tr>
<td>Bel</td>
<td></td>
<td>Maybucce</td>
<td>Tate</td>
</tr>
<tr>
<td>Brien</td>
<td></td>
<td>Miller</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Drew</td>
<td></td>
<td>Munson</td>
<td>Velazquez</td>
</tr>
<tr>
<td>Dunlap</td>
<td></td>
<td>O'Neill</td>
<td>Wall</td>
</tr>
<tr>
<td>Edwards</td>
<td></td>
<td>Ours</td>
<td>Weiss</td>
</tr>
</tbody>
</table>

Total—28.

And the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Lennox moved that the Convention take up other Orders of Business at this time.

As a substitute Delegate Thompson moved the previous question on the Section.

Delegate Lennox objected.

On motion of Delegate Thompson the substitute motion was withdrawn.

Delegate Lennox insisted upon his original motion to take up other Orders of Business at this time.

Delegate Abraham objected.

By a vote of 67 yeas and 33 nays the Convention took up other Orders of Business at this time.

Leaves of Absence

Delegate Dunlap—3 days.
Delegate Stinson—1 day.
Delegate Tate—1 day.
Delegate Thistlethwaite—2 days.
Delegate Bel—1 day.
Delegate Duval—½ day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Wednesday, October 24, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, October 24, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

SEVENTY-FIRST DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Wednesday, October 24, 1973, Baton Rouge, La.

The Convention was called to order at 9:00 o'clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll was called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman
Allegiance
Aker
Alario
Alexander
Anzalone
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Buron
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowan
D'Gerolamo
DeBieux
Denney
Dennis
Derbes
Deshotels
Duval
Edwards
Elkins
Fayard
Fiery
Fontenot
Fowler

Total---126.

Delegates—
Fulco
Gauthier
Garruso
Ginn
Goldman
Graham
Gravel
Grier
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leithman
Lennox
Lowe
McDaniel
Martin
Mauberret
Maybouce
Miller
Mire
Munson
Newton
Nunez
O'Neill

Total---6.

Prayer

Prayer was offered by Delegate Landry.

Pledge of Allegiance

Delegates Laffite and Chevardon read the Pledge of Allegiance.

Reading of the Journal

On motion of Delegate Bel, the reading of the Journal was
perused.

On motion of Delegate Bel, the Journal of yesterday was
adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposal
Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf
of the Committee on Revenue, Finance and Taxation, and Dele-

gates Alario, Brown, Chehardy, Edwards, Goldman, Mauber-

ret, Mire, Nunez, Planardh, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section 1. Assessment of Property: Classification; Assess-
ors; Right of Taxpayer

Section 1. (a) All property subject to ad valorem taxa-

tion shall be assessed at its market value; such percentage of fair market
taxation shall be uniform throughout the state upon the same class of property.

(b) The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each such classification for the purpose of determining assessed valuation are as follows:

CLASSIFICATIONS: PERCENTAGES:
1. All land .............................................. 5%
2. Improvements on residential property ................................ 10%
3. All other property ..................................... 15%

(C) Assessors shall determine the fair market value of all property subject to taxation within their respective parishes and districts except public service properties which shall be valued by the Louisiana Tax Commission. All property subject to taxation shall be reappraised at intervals of not more than five years.

(D) The correctness of assessments by the assessor shall be subject to review by the governing authority of the parish, then by the Louisiana Tax Commission, and finally by the courts in accordance with procedures established by law.

(E) The legislature may provide that agricultural, horti-
cultural and timber lands will be assessed for the purpose of taxation at a percentage of use value rather than fair market value.

Read.

The chairman announced that the Convention had under
consideration Committee Proposal No. 26, Section 1, when it
adjourned on Tuesday, October 23, 1973, which was taken
up and acted upon as follows:

Delegate Nunez sent up a floor amendment, which was
read as follows:

FLOOR AMENDMENT

Amendment proposal by Delegates Nunez, Perez, A. Land-

dry, Lanier, Alario, LeBlanc, Bollinger and Guarisco to Com-

mittee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 2, in Convention Floor Amendment No. 1 proposed by Miss Kilpatrick and adopted by the Convention on October 23, 1973, on line 2 of the language added thereby, immediately after the word and punctuation “horticultural,” insert the following:
“marsh lands.”

Delegate A. Landry moved the adoption of the amendment,
Delegate De Blieux objected.
By a vote of 83 yeas and 28 nays the amendment was adopted.
Delegate A. Landry moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate Chatelain sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Chatelain to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
On page 2, between lines 7 and 8, after Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, delete Floor Amendment No. 1 proposed by Delegate J. Jackson, and adopted by the Convention on October 29, 1973.

Point of Order
Delegate Gravel suggest that the amendment was out of order in that the subject matter contained in the amendment has been previously considered and disposed of, and asked a ruling from the Chair.

Ruling of the Choir
The Chair ruled the amendment out of order this time.
On motion of Delegate Chatelain the amendment was withdrawn.
Delegate Chatelain sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegates Weiss and Chatelain to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 2, between lines 7 and 8, in Floor Amendment No. 2, proposed by Delegate Rayburn, and adopted by the Convention on October 19, 1973, after the language added by the amendment, add the following:
"Notwithstanding anything in this Constitution to the contrary, in order to provide equitable tax relief similar to that granted to homeowners through homestead property tax exemptions, the legislature may provide for tax relief to residential lessees in the form of credits or rebates only if the estimation of all administrative expenses does not exceed the total credits and rebates authorized."

AMENDMENT No. 2—
On page 2, between lines 7 and 8, delete Floor Amendment No. 1 proposed by Delegate J. Jackson and adopted by the Convention on October 20, 1973.

On motion of Delegate Chatelain the amendments were withdrawn.
Delegate Gauthier sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Gauthier, Perez, Perkins, Nunez and Kean to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 1, line 31, after the word and punctuation “years,” add the following:
"Fair market value and use value of property shall be determined in accordance with criteria which shall be established by the legislature and which shall be uniformly applicable throughout the state."

Motion
Delegate Shannon moved the previous question on the entire subject matter.
Delegate Burson objected.
By a vote of 19 yeas and 37 nays the Convention refused to order the previous question on the entire subject matter.
Delegate Gauthier moved the adoption of the amendment.
Delegate Mire objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegate</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Abraham</td>
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<td>Alexander</td>
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<td>Gian</td>
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<td>Bollinger</td>
<td>Grier</td>
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<td>Brien</td>
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<tr>
<td>Burson</td>
<td>Hardree</td>
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<td>Casey</td>
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<td>Jack</td>
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<td>Juneau</td>
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NAYS

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NOT VOTING

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<tr>
<td>Drew</td>
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<tr>
<td>Dunlap</td>
<td>Jackson, J.</td>
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<td>Edwards</td>
<td>Jenkins</td>
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AMENDMENT No. 3—
On page 1, at the end of line 25, change the figure “15%” to “20%”.

On motion of Delegate Lowe a division of the question was ordered.

Motion
Delegate Reeves moved the previous question on the amendment.
Delegate Landrum objected.
By a vote of 14 yeas and 81 nays the Convention refused to order the previous question at this time.
Delegate Casey moved the adoption of the amendment No. 1.
Delegate Slay objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham
Bel
Bergeron
Buron
Casey
Champagne
Conroy
De Blieux
Dennery
Dennis
Derbes

Total—33.

NAYS

Delegates—
Akerik
Alario
Alexander
Anzalone
Arnette
Assieff
Avant
Badeaux
Blair
Bollinger
Brien
Burns
Cannon
Carmouche
Chatelain
Chehardt
Comar
Comino
Coree
Cowen
D’Gerolamo
Dehotels
Edwards
Elkins
Flory
Fowler
Fulco
Ginn

Total—83.

NOT VOTING

Delegates—
Mr. Chairman
Brown
Drew
Dunlap
Duval
Payard

Total—16.

And the amendment was rejected.
Delegate Slay moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey moved the adoption of Amendment No. 2. Delegate Slay objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate Slay moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Casey moved the adoption of Amendment No. 3. Delegate Slay objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

**NAYS**

A record vote was asked for and ordered by the Convention.

**NOT VOTING**

And the amendment was rejected.

Delegate Casey moved the adoption of Amendment No. 3. Delegate Slay objected.

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Burson to Committee Proposal No. 28 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

664
AMENDMENT No. 1—
On page 1, at the end of line 16, delete "through-" and at the beginning of line 17 delete "out the state" and insert in lieu thereof "within each parish or multi-parish district"

AMENDMENT No. 2—
On page 1, delete lines 24 and 25 in their entirety and insert in lieu thereof:

"2. Improvements for Residential Purposes 10-15%
3. All Other Property 15-20%"

AMENDMENT No. 3—
On page 1, delete lines 26 through 31, both inclusive, in their entirety Exclusive of Convention Floor Amendment No. 1 proposed by Mr. Gauthier and adopted by the Convention on October 24, 1973, and insert in lieu thereof the following paragraph:

"(C) Assessors shall determine the fair market value of all property subject to taxation within their respective parishes and districts and the percentage thereof to be used to determine assessed valuation. However, the assessors of the parishes comprising all or part of a multi-parish district shall determine the fair market value of all property subject to taxation by the multi-parish district and the percentage thereof to be used to determine assessed valuation. All public service properties shall be valued by the Louisiana Tax Commission. The percentage of fair market value first used after the effective date of this constitution in determining assessed value shall not be changed unless and until the percentages set forth in Paragraph (B) of this Section are changed by constitutional amendment.

Delegate Burson moved the adoption of the amendments.

Delegate Winchester objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

[List of delegates voting yeas, not provided in the image.]

NAYS

[List of delegates voting nays, not provided in the image.]

FLOOR AMENDMENT

Amendment proposed by Delegate Denney to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 25 and 26, insert the following Paragraph:

"Commencing with the first regular session in the year following the end of three years after the effective date of this constitution, and thereafter at five year intervals, the legislature shall fix the percentage, not to exceed twenty-five percent, of fair market value applicable to each classification, including agricultural, horticultural, and timber lands, for the purpose of determining assessed valuation. Land of all types and improvements for residential purposes shall not be assessed at a greater percentage of market value than other property, and the maximum percentage fixed for any classification shall not be more than one-half higher than the minimum percentage."

ON motion of Delegate Slay the previous question was ordered on the amendment.

Delegate Denney moved for a suspension of the rules in order to withdraw the amendment.

Delegate Winchester objected.

By a vote of 99 yeas and 6 nays the rules were suspended.

On motion of Delegate Denney the amendment was withdrawn.

Delegate Denney sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Denney to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, between lines 25 and 26, insert the following Paragraph:

"Commencing with the first regular session in the year following the end of three years after the effective date of this constitution, and thereafter at five year intervals, the legislature shall fix the percentage, not to exceed twenty-five percent, of fair market value applicable to each classification, including agricultural, horticultural, and timber lands, for the purpose of determining assessed valuation. Land of all types and improvements for residential purposes shall not be assessed at a greater percentage of market value than other property, and the maximum percentage fixed for any classification shall not be more than one-half higher than the minimum percentage."

665
Delegate Dennery moved the adoption of the amendment. Delegate Slay objected.

A record vote was asked for and ordered by the Convention.

### ROLL CALL

The roll was called with the following result:

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<th>YEAS</th>
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<td>Delegate—</td>
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<td>Abraham</td>
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<td>Deshotels</td>
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<td>Total—38.</td>
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<td>Fontenot</td>
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<td>Fowler</td>
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<td>Total—77.</td>
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<th>NOT VOTING</th>
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<td>Delegate—</td>
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<td>Mr. Chairman</td>
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<td>Brown</td>
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<td>Drew</td>
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<td>Fayard</td>
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<td>Haynes</td>
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<td>Total—17.</td>
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And the amendment was rejected.

Delegate Slay moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

### Passage

Committee Proposal No. 26, Section 1, was read, as amended.

Delegate Mire moved the passage of the Section.
persons sixty-five years or older shall be provided with a homestead exemption of six thousand dollars of the assessed valuation. No exemption shall extend to any municipal or city taxes except the following: (1) in Orleans Parish this exemption shall apply to the state, the city, the school, the levee, and levee board taxes; (2) to any municipal or city taxes levied for school purposes. The exemption of homesteads shall extend to the surviving spouse or minor child or children of a deceased owner and to the bona fide homestead when occupied as such and titled as such by either husband or wife, provided that this exemption shall not be extended to more than one homestead owned by the husband or wife.

(B) All public property.

(C) Places of religious worship; property owned by religious denominations and used as residences for clergy or religious institutions; places of burial, and property held by any religious denomination or non-profit corporation or organization for burial purposes, but the exemption shall not apply to unowned land or place as places for burial, when so held for profit; universities, schools and colleges; places devoted to charitable undertakings; hospitals, nursing homes, homes for the aged, convalescent and rehabilitation facilities, institutions for treatment, rehabilitation, and care of the physically and mentally handicapped or retarded, orphanages, child care centers which are organized as non-profit corporations under the Louisiana Non-profit Corporations Law or which are exempt from federal and state income taxation and which are licensed or regulated by the state of Louisiana; organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same; but exemption shall extend only to property, and grounds thereunto appurtenant, used for the above mentioned purposes, and not leased for profit or income.

(D) Cash on hand or deposit; stocks and bonds, except bank stocks, which shall be assessed and taxed solely as provided by law, and the tax paid by the banking institution; obligations secured by mortgage on property located in Louisiana, and the net income or other evidence of income therefrom by life insurance companies to policyholders, if secured solely by their policies; the legal reserve of domestic life insurance companies; loans by homestead or building and loan associations to their members, if secured solely by stock of said associations; debts due for merchandise or other articles of commerce or for services rendered; obligations of the state or its political subdivisions; all personal property used in the home or on loan in a public place; agricultural products while owned by the producer, agricultural machinery, and other implements used exclusively for agricultural purposes, and all animals on the farm, and property belonging to agricultural fair associations; all property used for cultural, mardi-gras carnival or civic activities and not operated for profit to the owners; vessels used in international trade and domiciled in Louisiana ports, but this exemption shall not apply to harbor, wharf, shed, and other port dues, and no vessel operated in the coastal trade of the continental United States shall be within the exemption herein provided; natural gas and oil; gas engines; commercial fuels; commercial vessels used for gathering seafood for human consumption; and rights-of-way granted to the State Department of Highways.

(E) From state, parish, and special taxes, all motor vehicles used on the public highways of this state, provided that this exemption shall not extend to any general or special tax levied by any municipality and the general authority of any municipality or special district created by any such municipality, unless the governing authority thereof shall provide for such exemption by ordinance or resolution.

(F) For the State Board of Commerce and Industry, with the approval of the governor, and the local governing authority may enter into contracts for the exemption of any new manufacturing establishment or an addition or additions to any manufacturing establishment already existing in the state upon such terms and conditions as the board, with the approval of the governor, and the local governing authority may deem to be to the best interest of the state. The terms “manufacturing establishment” and “addition” or “additions” as used in this Paragraph mean new plant or establishment or an addition or additions to an establishment that engages in the business of working raw materials into wares suitable for use or which gives new shapes, new qualities, or new combinations to matter which already has gone through some artificial process.
No exemption shall be contracted for any new manufacturing establishment in any locality where there is a manufacturing establishment actually engaged in the manufacture of the same or closely competitive articles without the written consent of the owner of such existing manufacturing establishment attached to and identified with the contract of exemption. No exemption from taxes shall be granted under the authority of this Paragraph for a longer initial period than five calendar years from the date of the execution of the contract of exemption; or for five calendar years from the date of the completion of the constitution as described in the contract for tax exemption, the commencement of the exemption upon either of such dates to be specified in the contract at the discretion of the State Board of Commerce and Industry, and subject to approval by the governor. Upon application within ninety days before the expiration of the initial period of five years, and upon proper showing of a full compliance with the contract of exemption by the contractor, any exemption granted under the authority of this subsection shall be renewed for an additional period of five calendar years. Any such exemption shall ipso facto cease upon violation of the terms and conditions of the contract which granted the same. All property exempted, in accordance with the provisions of the paragraph shall be listed on the assessment rolls and submitted to the Louisiana Tax Commission, but no taxes shall be collected thereon during the period of exemption.

(G) (1) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States:
(a) So long as such imports remain upon the public property of the port authority or docks of any common carrier where such imports first entered this state; or
(b) So long as any such imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages, and raw materials held in bulk, all or a part of the raw material inventory of manufacturers or processors, solely for manufacturing or processing; or
(c) So long as any such imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade for sale at retail.

(2) All raw materials, goods, commodities, and other articles being held upon the public property of a port authority or docks of any common carrier or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the continental United States.

(3) All raw materials, goods, commodities, and personal property in public or private storage while in transit through this state which is (a) moving in interstate commerce through or over the territory of the State of Louisiana; or (b) which is in public or private storage within the State of Louisiana having been shipped thereto from outside of the State of Louisiana for storage in transit to a final destination outside of the State of Louisiana, whether such destination was specified when transportation begins or afterward.

Read.

Delegate Mire sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Mire to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 12 through 32, both inclusive, in their entirety and on page 3, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Other Property Exemptions
Section 3. In addition to the homestead exemption provided for in Section 1 of this Article, the following property shall be exempt from ad valorem taxation:

(A) All public property."

On motion of Delegate Mire the amendment was adopted.

Delegate Mire moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Newton sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegates Newton, Roemer, Duval, Lanier, Guarisco and Conroy to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, delete lines 12 through 32, both inclusive, in their entirety and on page 3, delete lines 1 through 32, both inclusive, in their entirety and on page 4, delete lines 1 through 32, both inclusive, in their entirety and on page 5, delete lines 1 through 32, both inclusive, in their entirety, and on page 6 delete lines 1 through 32, both inclusive, in their entirety, and on page 7, delete lines 1 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Other Property Exemptions
Section 3. The exemptions from ad valorem taxes provided by Articles X, Section 4, of the Constitution of 1921, as amended are retained in effect. The legislature, by favorable vote of two-thirds of the elected members of each house, may exempt other property from ad valorem taxes, and amend or repeal any exemption. This Section shall not apply to the homestead exemptions as provided in Section 1 of this Article."

On motion of Delegate Newton the amendment was withdrawn.

Delegate Pugh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Pugh to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 2, in Floor Amendment No. 1 proposed by Delegate Mire and adopted by the Convention on October 24, 1973, on line 6 of the text of the amendment, after the word "property" and before the period "," insert the following:

"used for public purposes"

Delegate Pugh moved the adoption of the amendment.

Delegate Conroy objected.

By a vote of 86 yees and 20 nays the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Planchard sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS
Amendments proposed by Delegates Planchard and Comar to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 6, immediately after "glous" delete the semicolon ";"

AMENDMENT No. 2—
On page 3, line 20, immediately after the word "law" and before the word "which" insert the word "and"
AMENDMENT No. 3—
On page 3, line 23, immediately after the word “but” and and before the word “exemption” insert the word “the”

On motion of Delegate Planchard the amendments were adopted.

Delegate Pugh moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Abraham, the Convention altered the Order of Business to take up other Orders of Business at this time.

Motion
On motion of Delegate Abraham the rules were suspended in order to call a meeting of the Committee on Transitional Measures of the Committee on the Executive Department without giving the required 24 hours notice.

COMMITTEE NOTICE
Delegate Abraham, chairman of the Sub-Committee on Transitional Measures of the Committee on the Executive Department, sent up the following notice:

The Sub-Committee on Transitional Measures of the Committee on the Executive Department will meet on Thursday, October 25, 1973, at 12:00 o'clock Noon in Independence Hall and will consider the following agenda:

AGENDA

To consider transitional measures relating the the Executive Department.

Respectfully submitted,

MACK ABRAHAM,
Chairman of the Sub-Committee on Transitional Measures of the Committee on the Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Zervigon, chairman of the Committee on Legislative Liaison and Transitional Measures, sent up the following notice:

The Committee on Legislative Liaison and Transitional Measures will meet on Friday, October 26, 1973, at 12:00 o'clock Noon in White House Inn and will consider the following agenda:

AGENDA

To consider disposition of transitional measures as provided in the Committee's Resolution and other matters relating to transitional measures.

Respectfully submitted,

MARY ZERVIGON,
Chairman of the Committee on Legislative Liaison and Transitional Measures

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Weiss—1 day.
Delegate Rayburn—1 day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Thursday, October 25, 1973, at 9:30 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, October 25, 1973, at 9:30 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Tobias.

Pledge of Allegiance

Delegate Conroy led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Lennox, the reading of the Journal was dispensed with.

On motion of Delegate Lennox, the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposal

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Cherbard, Edwards, Goldman, Mauberrret, Mire, Nunez, Planchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section 3. Homestead Exemption; Other Property Exemptions

Section 3. The following property shall be exempt from ad valorem taxation: (A) Homesteads. From state, parish, and special taxes, the homestead, bona fide, consisting of a tract of land, or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract or tracts, not exceeding one hundred and sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, in the full amount of five thousand dollars of the assessed valuation. However, veterans and persons sixty-five years or older shall be provided with a homestead exemption of six thousand dollars of the assessed valuation. No exemption shall extend to any municipal or city taxes except the following: (1) in Orleans Parish this exemption shall apply to the state, the general city, the school, the levee, and levee board taxes; (2) to any municipal or city taxes levied for school purposes. The exemption of homestead shall extend to the surviving spouse or minor child or children of a deceased owner and to the bona fide homestead when occupied as such and title thereto is either husband or wife, provided that this exemption shall not be extended to more than one homestead owned by the husband or wife.

(B) All public property

(C) Places of religious worship; property owned by religious denominations and used as residences for clergy or religious; places of burial, and property held by any religious denomination or nonprofit corporation or organization for burial purposes, but the exemption shall not apply to unincorporated lots, crypts, or places for burial nor shall it apply to lands held for development as places for burial, when so held for profit; universities, schools and colleges; places devoted to charitable undertakings; hospitals, nursing homes, homes for the aged, convalescent and rehabilitation facilities, institutions for treatment, rehabilitation and care of the physically and mentally handicapped or retarded, orphanages, child and/or day care centers which are organized as non-profit corporations under the Louisiana Non-profit Corporations Law or which are exempt from federal and state income taxation law which are licensed or regulated by the state of Louisiana; organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same;
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but exemption shall extend only to property, and grounds thereunder appurtenant, used for the above mentioned purposes, and not leased for profit or income.

(D) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States:

(a) So long as such imports remain upon the public property of the port authorities or docks of any common carrier where such imports first entered this state;

(b) So long as any such imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or any other original packages and agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade of the State of Louisiana; or

(c) So long as any such imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade of the State of Louisiana.

(E) From state, parish, and special taxes, all motor vehicles used on the public highways of this state, provided that this exemption shall not extend to any general or special tax levied by the governing authority of any municipality, or electric or water rates in any municipality, unless the governing authority thereof shall provide for such exemption by ordinance or resolution.

(F) The State Board of Commerce and Industry, with the approval of the governor, and the local governing authority may enter into contracts for the exemption of any new manufacturing establishment or an addition or additions to any existing manufacturing establishment already existing in the state upon such terms and conditions as the board, with the approval of the governor, may deem to be to the best interest of the state. The terms “manufacturing establishment” and “addition” or “additions”, as used in this Paragraph mean a new plant or establishment or an addition or additions to any existing plant or establishment which will increase or otherwise benefit the business of working raw materials into wares suitable for use or which gives new shapes, new qualities, or new combinations to matter which already has gone through some artificial process. No exemption shall be contracted for any such new manufacturing establishment in any locality where there is a manufacturing establishment actually engaged in the manufacture of the same or closely competitive articles without the written consent of the owner of such existing manufacturing establishment to be attached to and identified with the contract of exemption. No exemption from taxes shall be granted under the authority of this Paragraph for a longer initial period than five calendar years from the date of the execution of the contract of exemption or five calendar years from the date of the completion of the contract of exemption, whichever is later. Upon application for renewal of such exemption, the commencement of the exemption upon either of such dates to be specified in the contract at the discretion of the State Board of Commerce and Industry and subject to approval by the governor. Upon application within sixty days before expiration of the period of five years, and upon proper showing of a full compliance with the contract of exemption by the contractor, any exemption granted under the authority of this subsection shall be renewed for an additional period of five calendar years. Any such exemption shall ipso facto cease upon violation of the terms and conditions of the contract which granted the same. All property exempted, in accordance with the provisions of this Paragraph, shall be listed on the assessment rolls and submitted to the Louisiana Tax Commission, but no taxes shall be collected thereon during the period of exemption.

(G) (1) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States:

(a) So long as such imports remain upon the public property of the port authorities or docks of any common carrier where such imports first entered this state;

(b) So long as any such imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or any other original packages and agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade of the State of Louisiana; or

(c) So long as any such imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade of the State of Louisiana.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 6, after the words "denominations and" and before the word "used" insert the words "religious orders"

On motion of Delegate Velazquez the amendment was adopted.

Delegate Velazquez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion
On motion of Delegate Rayburn the rules were suspended in order to allow a member of the Committee on Revenue, Finance and Taxation to explain Committee Proposal No. 26, Section 3, with regard to exemptions and delinquency of exemptions not presently in the 1921 Constitution.

Chairman Henry in the Chair
Delegate Lennox sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Lennox to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 3, line 25, immediately after the word “leased” delete the remainder of the line and insert in lieu thereof the following:
“or operated commercially for profit.”

Delegate Lennox moved the adoption of the amendment.

Delegate De Blieux objected.

By a vote of 66 yeas and 47 nays the amendment was adopted.

Delegate Lennox moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Dennis objected to tabling the motion to reconsider.

By a vote of 58 yeas and 48 nays the motion to reconsider was tabled.

Delegate Lowe sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Lowe to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 19, immediately after the word “Law” and before the word “which” delete the word “or” and insert in lieu thereof the word “and”

Delegate Lowe moved the adoption of the amendment.

Delegate Dennery objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Goldman</th>
<th>O'Neill</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Graham</td>
<td>Perez</td>
</tr>
<tr>
<td>Auerer</td>
<td>Gravel</td>
<td>Perkins</td>
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<td>Grier</td>
<td>Planchard</td>
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<td>Alexander</td>
<td>Guasco</td>
<td>Rachal</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Hardee</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Avant</td>
<td>Heine</td>
<td>Reeves</td>
</tr>
<tr>
<td>Basdevaux</td>
<td>Hernandez</td>
<td>Riecke</td>
</tr>
<tr>
<td>Blair</td>
<td>Jackson, A.</td>
<td>Roemer</td>
</tr>
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<td>Bollinger</td>
<td>Jackson, J.</td>
<td>Sandzo</td>
</tr>
<tr>
<td>Brien</td>
<td>Jenkins</td>
<td>Schmitt</td>
</tr>
<tr>
<td>Burns</td>
<td>Junau</td>
<td>Shannon</td>
</tr>
<tr>
<td>Cannon</td>
<td>Kean</td>
<td>Slay</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Kelly</td>
<td>Smith</td>
</tr>
<tr>
<td>Comar</td>
<td>Kilpatrick</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Conino</td>
<td>Landrum</td>
<td>Stinson</td>
</tr>
<tr>
<td>Conroy</td>
<td>Landry, A.</td>
<td>Tapper</td>
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<tr>
<td>Corne</td>
<td>Landry, E. J.</td>
<td>Tobias</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Lanier</td>
<td>Toca</td>
</tr>
<tr>
<td>De Blieux</td>
<td>LePieu</td>
<td>Toony</td>
</tr>
<tr>
<td>Dennis</td>
<td>Lennox</td>
<td>Ullo</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Lowe</td>
<td>Velazquez</td>
</tr>
<tr>
<td>Drew</td>
<td>McDaniel</td>
<td>Vesich</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Martin</td>
<td>Warren</td>
</tr>
<tr>
<td>Duval</td>
<td>Maubrelet</td>
<td>Waterigny</td>
</tr>
<tr>
<td>Elkins</td>
<td>Maybue</td>
<td>Weiss</td>
</tr>
<tr>
<td>Flory</td>
<td>Miller</td>
<td>Willis</td>
</tr>
<tr>
<td>Fontenot</td>
<td>Mire</td>
<td>Winchester</td>
</tr>
<tr>
<td>Fowler</td>
<td>Munson</td>
<td>Winchester</td>
</tr>
<tr>
<td>Fulco</td>
<td>Newton</td>
<td>Wommack</td>
</tr>
<tr>
<td>Giarrusso</td>
<td>Nunez</td>
<td></td>
</tr>
<tr>
<td>Gunn</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total—93</td>
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<td></td>
</tr>
</tbody>
</table>

**NAYS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Champagne</th>
<th>Pugh</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arnette</td>
<td>Dennerly</td>
<td>Singleter</td>
</tr>
<tr>
<td>Assiff</td>
<td>Gauthier</td>
<td>Soniat</td>
</tr>
<tr>
<td>Bel</td>
<td>Hayes</td>
<td>Stagg</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Jack</td>
<td>Vick</td>
</tr>
<tr>
<td>Burson</td>
<td>Kilbourne</td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Fayard</th>
<th>Roy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Haynes</td>
<td>Segura</td>
</tr>
<tr>
<td>Brown</td>
<td>Casey</td>
<td>Stoval</td>
</tr>
<tr>
<td>Casey</td>
<td>Chailain</td>
<td>Tale</td>
</tr>
<tr>
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<td>Cowen</td>
<td>Thistlethwaite</td>
</tr>
<tr>
<td>Derbes</td>
<td>Ours</td>
<td>Thompson</td>
</tr>
<tr>
<td>Edwards</td>
<td>Robinson</td>
<td>Wall</td>
</tr>
<tr>
<td>Total—21</td>
<td></td>
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</tr>
</tbody>
</table>

And the amendment was adopted.

Delegate Lowe moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Explanation of Vote**

Delegate Pugh sent up the following explanation of vote with respect to the adoption of the above amendment proposed by Delegate Lowe to Section 3 of Committee Proposal 26.

“I have voted against this amendment, for, by the passage of the same, all private foundations in the State of Louisiana which are within the classifications shown between the words “undertakings” in line 13 through the words “Louisiana” in line 21 will not be exempt from ad valorem taxes.”

Delegate Flory sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Flory to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, at the beginning of line 12, immediately after the word and punctuation “profit;” and before the word “universities” add the following:
“property of bona fide labor organizations representing their members or affiliates in collective bargaining efforts;”

Delegate Flory moved the adoption of the amendment.

Delegate Lennox objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>De Blieux</th>
<th>Kelly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Dennerly</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>Alario</td>
<td>Deshotels</td>
<td>Klipatrick</td>
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<tr>
<td>Alexander</td>
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<td>Lambert</td>
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<td>Avant</td>
<td>Dunlap</td>
<td>Landrum</td>
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<tr>
<td>Bel</td>
<td>Elkins</td>
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<tr>
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<td>Lanier</td>
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<td>Flory</td>
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<tr>
<td>Brown</td>
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<td>LeBlieux</td>
</tr>
<tr>
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<td>McDaniel</td>
</tr>
<tr>
<td>Burson</td>
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<td>Martin</td>
</tr>
<tr>
<td>Cannon</td>
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<tr>
<td>Chailain</td>
<td>Champagne</td>
<td>Maybue</td>
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<tr>
<td>Chhardy</td>
<td>Chailain</td>
<td>Maybue</td>
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<tr>
<td>Comar</td>
<td>Hardee</td>
<td>Maybue</td>
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<td>Conino</td>
<td>Hernandez</td>
<td>Maybue</td>
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<td>Jenkins</td>
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<table>
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<tbody>
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<td>Carmouche</td>
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<td>Chailain</td>
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<td>Chhardy</td>
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<td>Conor</td>
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<td>Kilbourne</td>
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<td>LeBlieux</td>
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<td>Mire</td>
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<td>Munson</td>
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<td>Newton</td>
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<td>Nunez</td>
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<tr>
<td>O'Neill</td>
<td></td>
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<tr>
<td>Perkins</td>
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<tr>
<td>Total—93</td>
<td></td>
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</tr>
</tbody>
</table>

672
72nd Days Proceedings—October 25, 1973

NAYS
Delegates—
Abraham
Anzalone
Arnette
Asseff
Badeaux
Conroy
Conne
Duval
Fulco
Gauthier
Grier
Total—32.

NOT VOTING
Delegates—
Aertker
Brien
Cassy
Dennis
Derbes
Edwards
Total—17.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Lennox sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Lennox to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, delete lines 21 and 22, in their entirety and at the beginning of line 23, delete the word and punctuation “same,” and insert in lieu thereof the following:

“Louisiana: organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same, and properties of nonprofit corporations devoted to the promotion of trade, travel, and commerce, and trade, business, industry and professional societies or associations provided such property is owned by nonprofit corporations or associations organized under the laws of the state of Louisiana for such purposes.”

Delegate Lennox moved the adoption of the amendment.
Delegate Anzalone objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Abraham
Aertker
Alario
Bel
Bergeron
Blair

Bollinger
Brien
Brown
Burns
Cannon
Casey

Champagne
Chatelain
Cheshardy
Conmar
Conino
Conroy

NAYS
Delegates—
D’Gerolamo
De Blieux
Denner
Deshotels
Drew
Elkins
Fayard
Fontenot
Fowler
Gauthier
Giarrusso
Ginn
Goldman
Graham
Gravel
Harde
Hayes
Hernandez
Jackson
Jackson, J.
Jenkins
Kilpatrick

Lambert
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Leithman
Lennox
McDaniel
Martin
Mauberret
Mire
Newton
Nunez
O’Neill
Perkins
Planehard
Pugh
Rachel
Rayburn
Reeves
Riecke
Roemer
Sandoz
Schmitt
Shannon
Stay
Soniat
Stagg
Sutherland
Tapper
Tobias
Toca
Ullo
Velasquez
Vick
Warren
Watigny
Wattigny
Winchester
Wiseman
Womack

NOT VOTING
Delegates—
Mr. Chairman
Alexander
Brien
Dennis
Edwards
Heine
Juneau

Kean
Landrum
Miller
Munson
Ourso
Robinson
Roy
Segura

Smith
Stovall
Tate
Thistlethwaite
Wall
Zervigon

Roemer
Sandoz
Schmitt
Shannon
Stay
Soniat
Stagg
Sutherland
Tapper
Tobias
Toca
Ullo
Velasquez
Vick
Warren
Watigny
Weiss
Wills
Winsch
Womack

And the amendment was adopted.

Delegate Lennox moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate J. Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate J. Jackson and Velazquez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 3, line 17, immediately after the word “centers” and before the word “which” insert the words and punctuation “and, recreational facilities”

On motion of Delegate J. Jackson the amendment was withdrawn.

Motion
Delegate Pugh moved that the Convention defer further action on Committee Proposal No. 26, Section 3(C), at this time.

As a substitute Delegate Landrum moved that the Proposal be returned to the Calendar subject to call.

Delegate Planehard objected.
The vote recurred on the substitute motion.
By a vote of 9 yeas and 104 nays the Convention refused to return the Proposal to the Calendar subject to call.
On motion of Delegate Pugh the motion to defer action on Committee Proposal, Section 3(A) was withdrawn.

**Motion**

Delegate Burson moved the previous question on the entire subject matter.

Delegate Alario objected.

By a vote of 17 yeas and 90 nays the Convention refused to order the previous question on the entire subject matter.

Delegate Newton sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Newton, Roemer, Duval, Lanier, Guarisco, Conroy, Gauthier, Zervigon, J. Jackson, Bergeron, Tobias and Abraham to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 12 through 32, both inclusive, in their entirety and on page 3, delete lines 1 through 32, both inclusive, in their entirety and on page 4, delete lines 1 through 32, both inclusive, including all previously adopted Floor Amendments thereto in their entirety and on page 5, delete lines 1 through 32, both inclusive, in their entirety and on page 6, delete lines 1 through 32, both inclusive, in their entirety and on page 7, delete lines 1 through 10, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. Other Property Exemptions

Section 3. (A) In addition to the homestead exemption provided for in Section 1 of this Article, the following property shall be exempt from ad valorem taxation:

(1) All public property.

(2) Property owned by religious denominations or orders which is not leased or operated commercially for profit.

(3) All other provisions for exemptions from ad valorem taxation at the time of the adoption of this constitution are retained in effect. The legislature, by favorable vote of two-thirds of the elected members of each house, may amend or repeal any exemption provisions other than the homestead exemption provided for in Section 1 of this Article and the exemptions provided for in Paragraph (A) of this Section."

**AMENDMENT No. 2—**

On page 7, beginning on line 11, delete "(H)" and insert in lieu thereof "(C)"

**Motion**

Delegate Stovall moved for a suspension of the rules in order to take a consensus vote on the amendment.

Delegate Blair objected.

By a vote of 21 yeas and 72 nays the Convention refused to suspend the rules at this time.

Delegate Newton moved the adoption of the amendments.

Delegate Jack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fayard</td>
<td>Juneau</td>
<td>Pugh</td>
</tr>
<tr>
<td>Fowler</td>
<td>Kean</td>
<td>Rachal</td>
</tr>
<tr>
<td>Fulco</td>
<td>Kelly</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Landrum</td>
<td>Riecke</td>
</tr>
<tr>
<td>Guarisco</td>
<td>Lay</td>
<td>Sardoz</td>
</tr>
<tr>
<td>Haynes</td>
<td>Leach</td>
<td>Segura</td>
</tr>
<tr>
<td>Heune</td>
<td>Newton</td>
<td>Shannon</td>
</tr>
<tr>
<td>Jackson, A.</td>
<td>Nunez</td>
<td>Singletary</td>
</tr>
<tr>
<td>Jackson, J.</td>
<td>Reeves</td>
<td>Slay</td>
</tr>
<tr>
<td>Total—41.</td>
<td></td>
<td>Stimson</td>
</tr>
</tbody>
</table>

**NOT VOTING**

Delegates—

Mr. Chairman—

Aertker—

Cannon—

Derbes—

Total—11.

And the amendments were rejected.

Delegate Planchard moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, at the end of the language added by Amendment No. 1 proposed by Delegate Pugh and adopted by the Convention on October 24, 1973, delete the period"," after the words "public purposes" and add the following:

"or leased for private purposes."

On motion of Delegate Pugh the amendment was withdrawn.

Delegate Shannon sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Shannon to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 25, in Floor Amendment No. 1 proposed by Delegate Lennox and adopted by the Convention on October 24, 1973, delete the period"," after the words "public purposes" and add the following:

"or leased for private purposes."

On motion of Delegate Pugh the amendment was withdrawn.
25. 1973, after the word "operated" and before the word "commercially" add the following words: "or otherwise used"

On motion of Delegate Shannon the amendment was adopted.

Delegate Shannon moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Champagne sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Champagne and Lowe to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 27, after the word and punctuation "stocks," delete the remainder of the line and at the beginning of line 28 delete the words and punctuation "provided by law, and the tax" and insert in lieu thereof the following: "the tax on which shall be"

Delegate Champagne moved the adoption of the amendment.

Delegate Schmitt objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Fucio</td>
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</tr>
<tr>
<td>Alexander</td>
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<td>Perez</td>
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<td>Anzalone</td>
<td>Giarrusso</td>
<td>Perkins</td>
</tr>
<tr>
<td>Aseff</td>
<td>Goldman</td>
<td>Planchard</td>
</tr>
<tr>
<td>Avant</td>
<td>Gravel</td>
<td>Pugh</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Graham</td>
<td>Rachal</td>
</tr>
<tr>
<td>Bel</td>
<td>Griever</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Hardee</td>
<td>Reeves</td>
</tr>
<tr>
<td>Blair</td>
<td>Hayes</td>
<td>Riecke</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Haynes</td>
<td>Roemer</td>
</tr>
<tr>
<td>Burns</td>
<td>Hernandez</td>
<td>Sandoz</td>
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<tr>
<td>Carmouche</td>
<td>Jack</td>
<td>Segura</td>
</tr>
<tr>
<td>Casey</td>
<td>Jackson, A.</td>
<td>Shannon</td>
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<tr>
<td>Champagne</td>
<td>Jackson, J.</td>
<td>Singletary</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Jenkins</td>
<td>Slay</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Juneau</td>
<td>Soniat</td>
</tr>
<tr>
<td>Comar</td>
<td>Keen</td>
<td>Stagg</td>
</tr>
<tr>
<td>Conino</td>
<td>Kilbourne</td>
<td>Stinson</td>
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<td>Fowler</td>
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**NAYS**

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<tr>
<th>Delegates—</th>
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<tr>
<td>Schmitt</td>
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<tr>
<td>Warren</td>
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<td>Total—10.</td>
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**DELEGATES—**

| Mr. Chairman       | Edwards |          |
| Aertker            | Ginn    |          |
| Arnette            | Guarisco|          |
| Brown              | Helne   |          |
| Burson             | Kelly   |          |
| Cannon             | Kilpatrick|        |
| Derbes             | Lambert |          |
| Deshotels          | Landrum|          |
| Duval              | Munson  |          |
| Total—26.          |         |          |

And the amendment was adopted.

Delegate Champagne moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Winchester objected to tabling the motion to reconsider.

By a vote of 48 yeas and 50 nays and the Convention refused to table the motion to reconsider.

**Motion**

Delegate Champagne moved to reconsider the vote by which the amendment was adopted.

Delegate Abraham objected.

By a vote of 52 yeas and 50 nays the vote by which the amendment was adopted, was reconsidered.

Delegate Champagne moved the adoption of the amendment.

Delegate Winchester objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Bel</td>
<td>Griever</td>
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<td>Burns</td>
<td>Hernandez</td>
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<td>Total—10.</td>
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**DELEGATES—**

| D’Gerolamo        | Maybuce  |          |
| Miller            |         |            |
| Maybuce           |         |            |
| Miller            |         |            |
| Segura            |         |            |

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72nd Days Proceedings—October 25, 1973

<table>
<thead>
<tr>
<th>Toca</th>
<th>Velazquez</th>
<th>Weiss</th>
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<tbody>
<tr>
<td>Ulo</td>
<td>Warren</td>
<td>Winchester</td>
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</tbody>
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Delegates—

Mr. Chairman—
Aeriker
Brown
Burson
Cannon
Derbes
Deshotels
Edwards
Total—22.

NOT VOTING

Guarisco
Heine
Kelly
Lambert
Lunson
Ourso
Robinson
Roy
Tate
Thistlethwaite
Vick
Wall
Wattignay

And the amendment was adopted.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Dennery, Mire and Rayburn, to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 12, after the words and punctuation “owners;” delete the remainder of the line and insert in lieu thereof the following: “ships and oceangoing tugs, towboats, and barges”

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate E. J. Landry sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate E. J. Landry to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, Floor Amendment No. 1 proposed by Delegate Mire and adopted by the Convention on October 24, 1973, on line 5 in the text of the amendment after the word “taxation” delete the colon “:” and insert a semicolon “;” and add the following: “provided however, that after the effective date of this constitution, the exemptions contained in Paragraphs (F) and (G) of this Section shall not apply to taxes levied by any school districts:”

On motion of Delegate Chatelain the amendment was withdrawn.

**Motion**

On motion of Delegate Nunez, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Motion**

On motion of Delegate Abraham the rules were suspended in order to call a meeting of the Committee on Transitional Measures of the Committee on the Executive Department without giving the required 24 hours notice.

---

**COMMITTEE NOTICE**

Delegate Abraham, chairman of the Sub-Committee on Transitional Measures of the Committee on the Executive Department, sent up the following notice:

The Sub-Committee on Transitional Measures of the Committee on the Executive Department will meet on Friday, October 26, 1973, at the lunch break in Independence Hall and will consider the following agenda:

**AGENDA**

To consider transitional measures relating the Executive Department.

Respectfully submitted,

MACK ABRAHAM,
Chairman of the Sub-Committee on Transitional Measures of the Committee on the Executive Department

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**COMMITTEE NOTICE**

Delegate Aeriker, chairman of the Committee on Education and Welfare, sent up the following notice:

The Committee on Education and Welfare will meet on Wednesday, October 31, 1973, immediately after adjournment in Committee Room No. 5 and will consider the following agenda:

**AGENDA**

DP No. 3
DP No. 53
DP No. 66
DP No. 92
DP No. 90
CP No. 11
CP No. 30
Status Report—Committee Proposal No. 7
Status Report—Delegate Proposal No. 54

Respectfully submitted,

ROBERT J. AERTKER,
Chairman of the Committee on Education & Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

**Leaves of Absence**

Delegate Derbes—1 day.
Delegate Tate—2 days.
Delegate Thistlethwaite—3 days.
Delegate Robinson—Indefinite.
Delegate Ourso—Indefinite.

**Adjournment**

Delegate Riecke moved that that Convention do now adjourn until Friday, October 26, 1973, at 9:00 o’clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, October 26, 1973, at 9:00 o’clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA
SEVENTY-THIRD DAY’S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature
Friday, October 26, Baton Rouge, La.
The Convention was called to order at 9:00 o’clock a.m., by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman  Fuleo  Perkins
Abraham  Gauthier  Panchard
Aertker  Giarrusso  Pugh
Alario  Gin  Rachal
Anzalone  Goldman  Rayburn
Arnette  Graham  Reeves
Asseff  Gravel  Ricke
Avant  Grier  Roemer
Badeaux  Guarisco  Sandoz
Bel  Hardee  Schmitt
Bergeron  Hayes  Segura
Blair  Heine  Shannon
Bollinger  Hernandez  Singletary
Brien  Jack  Slay
Brown  Jackson, A.  Smith
Burns  Jackson, J.  Soniat
Burson  Jenkins  Stagg
Cannon  Kean  Stephenson
Carmouche  Kelly  Stinson
Casey  Kilbourne  Stovall
Champagne  Kilpatrick  Sutherland
Chatlain  Lambert  Tapper
Chehardy  Landrum  Thompson
Comar  Landry, A.  Tous
Con  Landry, E. J.  Toce
Conroy  Lanier  Toomey
Corre  LeBieu  Ulo
Cowane  Leigh  Velazquez
D’Gerolamo  Leithman  Vesich
De Biieux  Lennox  Vick
Dennery  McDaniel
Dennis  Martin
Derbes  Mauberret
Drew  Maybuece
Dunlap  Miller
Duval  Mire
Elkins  Munson
Fayard  Newton
Fiery  Nunez
Foninot  O’Neill
Fowler  Perez
Total—121.

ABSENT

Delegates—
Alexander  Juneau  Roy
Deshotels  Lowe  Tate
Edward  Ours  Thistlethwaite
Haynes  Robinson
Total—11.

The Chairman announced that there were 121 members
present and a quorum.

Prayer

Prayer was offered by Delegate Planchard.

Pledge of Allegiance

Delegate Dennery led the Convention in reciting the Pledge of
Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Miller, the reading of the Journal
was dispensed with.

On motion of Delegate Miller, the Journal of yesterday
was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of
the Committee on Revenue, Finance and Taxation, and Dele-
gates Alario, Brown, Chehardy, Edwards, Goldman, Mauber-
ret, Mire, Nunez, Planchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section 3. Homestead Exemption; Other Property Exemptions

Section 3. The following property shall be exempt from ad
valorem taxation: (A) Homesteads. From state, parish, and
special taxes, the homestead, bona fide, consisting of a tract
of land, or two or more tracts of land with a residence on
one tract and a field, pasture, or garden on the other tract
or tracts, not exceeding one hundred and sixty acres, build-
ings and appurtenances, whether rural or urban, owned and
occupied by any person, in the full amount of five thousand
dollars of the assessed valuation. However, veterans and
persons sixty-five years or older shall be provided with a
homestead exemption of six thousand dollars of the as-
essed valuation. No exemption shall extend to any munici-
pal or city taxes except the following: (1) in Orleans Parish
this exemption shall only apply to the state, the general city,
the school, the levee, and levee board taxes; (2) to any munici-
pal or city taxes levied for school purposes. The exemption
of homesteads shall extend to the surviving spouse or minor
child or children of a deceased owner and to the bona fide
homestead when occupied as such and title thereto is in
either husband or wife, provided that this exemption shall
not be extended to more than one homestead owned by the
husband or wife.

(B) All public property.

(C) Places of religious worship; property owned by reli-
gious; denominations and used as residences for clergy or
religious; places of burial, and property held by any religious
denomination or nonprofit corporation or organization for
burial purposes, but the exemption shall not apply to unsold
lots, crypts, or places for burial nor shall it apply to lands
held for development as places for burial, when so held for
profit; universities, schools and colleges; places devoted to
charitable undertakings; hospitals, nursing homes, homes for
the aged, convalescent and rehabilitation facilities, institu-
tions for treatment, rehabilitation and care of the physically
and mentally handicapped or retarded, orphans, child
and/or day care centers which are organized as non-profit
corporations under the Louisiana Non-profit Corporations
Law or which are exempt from federal and state income
taxation law which are licensed or regulated by the state of
Louisiana; organizations such as lodges and clubs organized
for charitable and fraternal purposes and practicing the same;

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but exemption shall extend only to property, and grounds thereunto appurtenant, used for the above mentioned purposes, and not leased for profit or income.

(D) Cash on hand or deposit; stocks and bonds, except bonds the payment of which shall be made specie as provided by law, and the tax paid by the banking institution; obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof; loans by life insurance companies to policyholders, if secured solely by stock of said associations; debts due for merchandise or other articles; owner's liability in the case of local companies; taxes levied on the property of a political subdivision of the state or its political subdivisions; all personal property used in the home or on loan in a public place; agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, and all animals on the farm, and property belonging to agricultural fair associations; all property used for cultural, mardi-gras carnival or civic activities and not operated for profit to the owners; all ocean-going vessels engaged in international trade and domiciled in Louisiana ports, but not in the United States; all storage which shall to the extent of such storage not held in the United States; all storage in the United States shall be within the exemption herein granted; boats using gasoline as motor fuel; commercial facilities used for gathering seafood; hogs in transit; and rights-of-way granted to the State Department of Highways.

(E) From state, parish, and special taxes, all motor vehicles used on the public highways of this state, provided that this exemption shall not extend to any general or special tax levied by the governing authority of any municipality or district created by any such municipality, unless the governing authority thereof shall provide for such exemption by ordinance or resolution.

(F) The State Board of Commerce and Industry, with the approval of the governor, and the local governing authority may enter into contracts for the exemption of any new manufacturing establishment or an addition or additions to any manufacturing establishment already existing in the state upon such terms and conditions as the board, with the approval of the governor, and the local governing authority, may deem to be the best interest of the state. The terms "manufacturing establishment" and "addition" or "additions" as used in this Paragraph mean a new plant or establishment or an addition or additions to any existing plant or establishment in which processes of working raw materials into wares suitable for use or which gives new shapes, new qualities, or new combinations to matter which already has gone through some artificial process. No exemption shall be contracted for any new manufacturing establishment in any locality where there is a manufacturing establishment actually engaged in the manufacture of the same or closely competitive articles without the written consent of the owner of such existing manufacturing establishment to be attached to and identified with the contract of exemption. No exemption from taxes shall be granted under the authority of this Paragraph for a longer initial period than five calendar years from the date of the execution of the contract of exemption or five calendar years from the date of the completion of the workman's compensation or workmen's compensation and/or employer's liability insurance coverage; the exemption, the commencement of the exemption upon either of such dates to be specified in the contract at the discretion of the State Board of Commerce and Industry and subject to approval by the governor. Upon application with the appropriate licensing body, before the expiration of the period of five years, and upon proper showing of a full compliance with the contract of exemption by the contractor, any exemption granted under the authority of this subsection shall be renewed for an additional period of five calendar years. Any such exemption shall ipso facto expire upon violation of the terms and conditions of the contract which granted the same. All property exempted, in accordance with the provisions of the paragraph shall be listed on the assessment roll and submitted to the Louisiana Tax Commission, but no taxes shall be collected thereon during the period of exemption.

(G) (1) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States:

(a) So long as such imports remain upon the public property of the port authority or docks of any common carrier used for such imports first entered the charitable underlays in the original form in bales, sacks, barrels, boxes, cartons, containers, or original packages, and raw materials held in bulk as all or a part of the new material inventory of manufacturers or processors, solely for manufacturing or processing;

(b) So long as such imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This shall not apply to a merchant retailer holding such imports as part of his stock in trade for that purpose.

(2) All raw materials, goods, commodities, and other articles being held upon the public property of a port authority or docks of any common carrier or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the continental United States.

(3) All goods, commodities, and personal property in public or private storage while in transit through this state which is (a) moving in interstate commerce through or over the territory of the State of Louisiana; or (b) which is in public storage in the State of Louisiana having been shipped there into from outside of the State of Louisiana for storage in transit to a final destination outside of the State of Louisiana, whether such destination was specified when transportation begins or afterward.

All such property as is exempt from taxation in this Paragraph (G) whether entitled to exemption or not shall be reported to the proper taxing authority on the forms required by law.

(H) Additional property may be exempted from taxation if authorized by a two-thirds vote of the elected membership of each house of the legislature. Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 26, Section 3, when it adjourned on Thursday, October 25, 1973, which was taken up and acted upon as follows:

Delegate Conino sent up a floor amendment, which read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Conino and Willis to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—Line 3, delete lines 5 through 25, both inclusive, including all Floor Amendments therefor, in their entirety and insert in lieu thereof the following:

"(C) (1) Places of religious worship; (2) property owned by religious denominations and used as residences for clergy or employees; (3) property of charitable, public, private, or nonprofit corporation or organization for burial purposes, but the exemption shall not apply to unsold lots, crypts, or places for burial nor shall it apply to lands held for development as places for burial when so held for profit; (4) places of the State of Louisiana used as cemeteries, burials, or other treatment, rehabilitation and care of the physically and mentally handicapped or retarded, orphans, and/or day care centers which are organized or operating as nonprofit corporations under the Louisiana Nonprofit Corporations Law and which are exempt from federal and state income tax laws and which are licensed or regulated by the state of Louisiana; (5) organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same. The exemptions shall extend only to property, and grounds thereunto appurtenant, used for the above mentioned purposes, and not leased or operated commercially for profit."

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On motion of Delegate Conino the amendment was withdrawn.

Delegate Arnette sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Arnette to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, at the beginning of line 12, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the convention on October 25, 1973, at the beginning of the text of the amendment delete the words “property of” and insert in lieu thereof the words “meeting halls of”

Delegate Arnette moved the adoption of the amendment.

Delegate Flory objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<td>Delegates—</td>
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<td>D’Gerolamo</td>
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<tr>
<td>De Blieux</td>
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<td>Denenhy</td>
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<td>Derbes</td>
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<td>Elkins</td>
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<td>Fiery</td>
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<td>Giarrusso</td>
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<tr>
<td>Ginn</td>
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<tr>
<td>Graham</td>
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<tr>
<td>Gravel</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
</tr>
<tr>
<td>Mr. Chairman</td>
</tr>
<tr>
<td>Aarkler</td>
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<tr>
<td>Alexander</td>
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<tr>
<td>Brown</td>
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<td>Burson</td>
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<td>Carmouche</td>
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<tr>
<td>Cowen</td>
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<tr>
<td>Dennis</td>
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<tr>
<td>Deshotels</td>
</tr>
</tbody>
</table>

| ROY |
| Schmitt |
| Total—39. |

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate E. J. Landry sent up a floor amendment to a subsection not under consideration by the Convention at this time, and asked permission of the Convention to consider the amendment out of its regular order at this time.

Delegate Stagg objected.

By a vote of 55 yeas and 33 nays the Convention ordered the amendment to be taken up out of its regular order.

Delegate E. J. Landry sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate E. J. Landry to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, between lines 13 and 14, insert the following: “(1) The exemptions contained in Paragraph (F) of this Section shall not apply to any taxes levied by any school districts on any manufacturing establishment or an addition or additions to any manufacturing establishment concerning which a contract for exemption has been signed after the effective date of this constitution.”

**Motion**

Delegate A. Jackson moved the previous question on the amendment.

Delegate Chatelain objected.

By a vote of 41 yeas and 55 nays the Convention refused to order the previous question.

Delegate E. J. Landry moved the adoption of the amendment.

Delegate Abraham objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Delegates—</td>
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<tr>
<td>Aarkler</td>
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<td>Anzalone</td>
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<td>Avant</td>
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<td>Bergeron</td>
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<tr>
<td>Blair</td>
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<tr>
<td>Burns</td>
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<tr>
<td>Jackson, J.</td>
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<tr>
<td>Kilbourne</td>
</tr>
<tr>
<td>Landry, E. J.</td>
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<td>Leithman</td>
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<tr>
<td>Maybue</td>
</tr>
<tr>
<td>Miller</td>
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<tr>
<td>Pugh</td>
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<td>Velazquez</td>
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<td>Vick</td>
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<tr>
<td>Warren</td>
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<tr>
<td>Weiss</td>
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<tr>
<td>Wisham</td>
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<td>Total—57.</td>
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</tbody>
</table>
73rd Days Proceedings—October 26, 1973

NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Abraham</td>
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<td>Alario</td>
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<td>Arnette</td>
<td>Grv</td>
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<td>Asseff</td>
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<td>Conner</td>
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<td>Elkins</td>
<td>Mart</td>
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<td>Fowler</td>
<td>Mre</td>
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<td>Fontenot</td>
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NOT VOTING

<table>
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<th>Delegates</th>
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<tr>
<td>Mr. Chairman</td>
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<td>Alexander</td>
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<td>Champagne</td>
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<td>Deshotels</td>
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<td>Haynes</td>
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</table>

And the amendment was rejected.

Delegate Gravel moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.

Delegate E. J. Landry objected to tabling the motion to reconsider.

By a vote of 71 yeas and 43 nays and the motion to reconsider was tabled.

Delegate Perez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, in Floor Amendment No. 1 offered by Delegate Mire and adopted by the Convention on October 24, 1973, on line 4 of the text of the amendment after the words “following property” and before the words “shall be” insert the words “and no other”

Delegate Perez moved the adoption of the amendment.

Delegate De Blieux objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
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<tr>
<th>Delegates</th>
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<tbody>
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<td>Aerator</td>
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<td>Fulco</td>
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<tr>
<td>Gauthier</td>
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</tbody>
</table>

NAYS

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<th>Delegates</th>
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<tbody>
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<td>Abraham</td>
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<td>Hardee</td>
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<td>Hernandez</td>
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<td>Jack</td>
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<td>Jackson, J.</td>
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<td>Keen</td>
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<td>Kilbourne</td>
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<td>Lambert</td>
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<td>Landrum</td>
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<tr>
<td>Landry, A.</td>
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<tr>
<td>Total</td>
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</tbody>
</table>

NOT VOTING

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Alexander</td>
<td></td>
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<tr>
<td>Champagne</td>
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<td>Deshotels</td>
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<td>Edwards</td>
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<tr>
<td>Haynes</td>
<td></td>
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<tr>
<td>Total</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Womack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate McDaniel moved the previous question on the Section.

Delegate Conino objected.

By a vote of 44 yeas and 64 nays the Convention refused to order the previous question on the Section.

Delegate Conino sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Conino and Willis to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 5 through 25, both inclusive, including all Floor Amendments thereto, in their entirety and insert in lieu thereof the following:

“(B) (1) Places of religious worship; (2) property owned by religious denominations and orders and used as residences for clergy or religious; (3) places of burial and property held by any religious denomination or nonprofit corporation or organization for burial purposes, but the exemption shall not apply to unsold lots, cemetary, or places for burial nor shall it apply to lands held for development as places for burial when so held for profit; (4) places devoted to charitable undertakings; (5) property of bona fide labor
Page 5
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organizations representing their members or affiliates in collective bargaining efforts; (6) universities, schools, colleges, hospitals, nursing homes, homes for the aged, convalescent and rehabilitation facilities, institutions for treatment, rehabilitation and care of the physically and mentally handicapped or retarded, orphanages, child and/or day care centers which are organized or operating as nonprofit corporations under the Louisiana Nonprofit Corporations Law and which are exempt from federal and state income taxation law and which are licensed or regulated by the state of Louisiana; (7) organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same; and properties of nonprofit corporations devoted to the promotion of trade, travel, and commerce, and trade, business, industry and professional societies or associations provided such property is owned by nonprofit corporations or associations organized under the laws of the state of Louisiana for such purposes.

The exemptions shall extend only to property, and grounds thereunto appurtenant, used for the above mentioned purposes and not leased or operated commercially for profit, or otherwise used, subject to income taxation.

Delegate Conino moved the adoption of the amendment.

Delegate Pugh objected.

By a vote of 24 yeas and 84 nays the amendment was rejected.

Delegate Pugh moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Segura moved for a suspension of the rules in order to limit debate to two speakers for the proponents and two speakers for the opponents, on all remaining amendments to this Section.

Delegate Chatelain objected.

By a vote of 54 yeas and 47 nays and the Convention refused to suspend the rules at this time.

Delegate Pugh sent up floor amendments, which were read as follows:

### FLOOR AMENDMENTS

Amendments proposed by Delegate Pugh to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 5 through 25, both inclusive, in their entirety, including all amendments adopted thereto by the Convention and insert in lieu thereof the following:

"(C) That owned by nonprofit corporations or associations, organized and operated exclusively for religious, charitable, health, fraternal, or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or individual and which is declared to be exempt from federal and state income tax, except immovable property owned, operated, leased, or used for commercial purposes."

AMENDMENT No. 2—

On page 3, immediately below the language added by Amendment No. 1 above, add the following unnumbered paragraph:

"Property of bona fide labor organizations representing their members or affiliates in collective bargaining efforts."

AMENDMENT No. 3—

On page 3, immediately below the language added by Amendment No. 2 above, add the following unnumbered paragraph:

"Organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same, and properties of nonprofit corporations devoted to the promotion of trade, travel, and commerce, and trade, business, industry and professional societies or associations provided such property is owned by nonprofit corporations or associations organized under the laws of the state of Louisiana for such purposes."

On motion of Delegate Duval a division of the question was ordered.

Delegate Pugh moved the adoption of Amendment No. 1.

Delegate Comar objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

### YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Ginn</td>
</tr>
<tr>
<td>Aertker</td>
<td>Goldman</td>
</tr>
<tr>
<td>Alario</td>
<td>Graham</td>
</tr>
<tr>
<td>Arnette</td>
<td>Gravel</td>
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<tr>
<td>Bel</td>
<td>Guarisco</td>
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<tr>
<td>Bollinger</td>
<td>Hayes</td>
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<tr>
<td>Burson</td>
<td>Heine</td>
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<tr>
<td>Carmouche</td>
<td>Jackson</td>
</tr>
<tr>
<td>Casey</td>
<td>Jackson</td>
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<tr>
<td>Chatelain</td>
<td>Jenkins</td>
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<td>Chehardy</td>
<td>Kean</td>
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<td>Conine</td>
<td>Kelly</td>
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<td>Corne</td>
<td>Kilpatrick</td>
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<tr>
<td>De Blieux</td>
<td>Landrum</td>
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<tr>
<td>Denenney</td>
<td>Landry</td>
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<td>Dennis</td>
<td>Landry</td>
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<td>Derbes</td>
<td>Lanier</td>
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<tr>
<td>Drew</td>
<td>Leithman</td>
</tr>
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<td>Dunlap</td>
<td>Maubrel</td>
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<tr>
<td>Duval</td>
<td>Newton</td>
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<tr>
<td>Fulco</td>
<td>O'Neill</td>
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<tr>
<td>Gauthier</td>
<td>Perkins</td>
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</table>

Total—67.

### NAYS

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<tr>
<td>Anzalone</td>
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<tr>
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<td>Flory</td>
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<td>Avant</td>
<td>Fontenot</td>
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<tr>
<td>Badeaux</td>
<td>Fowler</td>
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<td>Bergeron</td>
<td>Grier</td>
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<tr>
<td>Blair</td>
<td>Hardee</td>
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<tr>
<td>Brien</td>
<td>Hernandez</td>
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<td>LeBlanc</td>
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<td>Champlagne</td>
<td>Leight</td>
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<tr>
<td>Comar</td>
<td>Lennox</td>
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<tr>
<td>Conroy</td>
<td>McDaniel</td>
</tr>
<tr>
<td>Cowen</td>
<td>Martin</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Nunez</td>
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</tbody>
</table>

Total—41.

### NOT VOTING

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<tr>
<td>Lambert</td>
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<td>Lowe</td>
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<td>Maybucte</td>
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<td>Mire</td>
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<td>Munson</td>
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<td>Oursu</td>
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<tr>
<td>Rachal</td>
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</tbody>
</table>

Total—24.

And the amendment was adopted.

Delegate Pugh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Pugh moved the adoption of Amendment No. 2.

Delegate Comar objected.

A record vote was asked for and ordered by the Convention.

681
ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Aikins
Alario
Anzalone
Azeff
Avant
Bel
Bergeron
Blair
Brown
Burns
Burson
Carmouche
Cassy
Chehardy
Cenete
Connio
Corne
Cowan
D’Geralamo
De Blieux
Dennery
Dennis
Dunlap
Flory
Fontenot
Fowler
Fulco
Gauthier
Girrussu
Ginn
Goldman
Graham
Gravel
Hardee
Hayes
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J
Delegate Chatelain moved the adoption of the amendment.  
Delegate Flory objected.  
A record vote was asked for and ordered by the Convention.  

**ROLL CALL**  
The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
</tr>
<tr>
<td>Anzalone</td>
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<tr>
<td>Arnette</td>
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<tr>
<td>Badeaux</td>
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<tr>
<td>Boller</td>
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<tr>
<td>Brien</td>
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<tr>
<td>Burns</td>
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<tr>
<td>Burson</td>
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<tr>
<td>Carmouche</td>
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<tr>
<td>Casey</td>
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<td>Champagne</td>
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<tr>
<td>Chatelain</td>
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<td>Comar</td>
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<td>Conino</td>
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<td>Conroy</td>
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<td>Conre</td>
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<td>Cowen</td>
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<tr>
<td>De Blieux</td>
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<tr>
<td>Denberry</td>
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<tr>
<td>Derbes</td>
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<tr>
<td>Duval</td>
</tr>
<tr>
<td>Fiery</td>
</tr>
<tr>
<td>Munson</td>
</tr>
<tr>
<td>Total—80.</td>
</tr>
</tbody>
</table>

**NOT VOTING**

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fayeard</td>
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<tr>
<td>Hayes</td>
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<tr>
<td>Alexander</td>
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<tr>
<td>Brown</td>
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<tr>
<td>Cannon</td>
</tr>
<tr>
<td>Chehardy</td>
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<tr>
<td>Dennis</td>
</tr>
<tr>
<td>Deshotels</td>
</tr>
<tr>
<td>Drew</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Edwards</td>
</tr>
<tr>
<td>Elkins</td>
</tr>
<tr>
<td>Total—37.</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Chatelain sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Chatelain to Committee Proposal No. 26 by Delegate Rayburn, et al.  
Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, line 5, immediately below the language added by Floor Amendment No. 1 proposed by Delegate Pugh and adopted by the convention on October 26, 1973, delete Floor Amendment No. 2 proposed by Delegate Pugh and adopted by the convention on October 26, 1973, and insert in lieu thereof the following:  
"Meeting halls, offices, and equipment located therein, owned by bona fide labor organizations and used in pursuance of collective bargaining efforts for their members or affiliates."
beginning of line 4, delete the words "educational purposes," and insert in lieu thereof the following:

"educational purposes, or as homes for the aged."

Delegate Velazquez moved the adoption of the amendment.
Delegate Rayburn objected.

By a vote of 53 yeas and 47 nays the amendment was adopted.

Delegate Velazquez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Tobias sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Tobias to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 5, in Floor Amendment No. 1 proposed by Delegate Pugh and adopted by the convention on October 26, 1973, on line 4, immediately after the word and punctuation "tax," and before the word "except" insert the following: "property of bona fide labor organizations representing their members or affiliates in collective bargaining efforts; organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same, and properties of nonprofit corporations devoted to the promotion of trade, travel, and commerce, and trade, business industry and professional societies or associations provided such property is owned by nonprofit corporations or associations organized under the laws of the state of Louisiana for such purposes;"

AMENDMENT No. 2—

On page 3, line 5, delete Floor Amendment Nos. 2 and 3 proposed by Delegate Pugh and adopted by the Convention on October 26, 1973.

Delegate Tobias moved the adoption of the amendments.
Delegate Fulco objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

Delegate—

Abraham
Aeriker
Alario
Anzalone
Arnette
Assess
Avant
Badeaux
Bel
Beggerson
Bollinger
Bren
Brown
Burson
Burson
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corre

Cowen
D'Gerolamo
De Bliex
Dennery
Dennis
Derbes
Drew
Duval
Elkins
Flory
Fontenot
Fowler
Fulco
Gauthier
Girruss
Ginn
Goldman
Graham
Gravel
Grier
Guirrisco
Hardee
Hernandez
Jackson, A.

Jackson, J.
Jenkins
Kean
Kelly
Kilbourne
Kippatrick
Landry, A.
Landry, E. J.
Lanier
LeBleu
Leithman
Lennox
McDaniel
Mauerret
Mire
Munson
Newton
Nunez
O'Neill
Planchard
Rachal
Rayburn
Reeves
Riecke

Stephenson
Slovall
Sutherland
Thompson
Tobias
Toca
Toomy
Ulo
Velazquez
Vesch
Vick
Warren
Waitigny
Weiss
Willis
Winchester
Womack
Zervigon

Delegates—

Mr. Chairman
Alexander
Blair
Cannon
Deshotel's
Dunlap
Edwards
Fayard
Hayes
Haynes

Heine
Jack
Juneau
Lambert
Landrum
Leigh
Lowe
Martin
Maybuke
Miller

Perkins
Pugh
Robinson
Roy
Tapper
Tate
Thistlethwaite
Wall

NAYS

NOT VOTING

Delegates—

Kelly
Avant
Bergeron
Brien
Chehardy
D'Gerolamo
Flory
Fulco
Ginn
Jackson, J.

Lambert
Landrum
Landry, E. J.
Leithman
Maukeret
Monson
Nunez
Reeves
Soniat

Stovall
Tapper
Thompson
Toca
Vesch
Vick
Warren
Winchester
Womack

NAYS

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
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<tbody>
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<td></td>
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</tbody>
</table>

Delegate—

Abraham
Aeriker
Anzalone
Arnette
Assess
Badeaux
Bel
Blair
Bollinger
Brown
Burns

Burson
Carmouche
Casey
Champagne
Chatelain
Comar
Conroy
Cowan
De Bliex
Dennery

Dennis
Drew
Dunlap
Duval
Elkins
Fontenot
Fowler
Gliruss
Goldman
Graham

684
Delegate Munson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Reeves sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Reeves to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 11, immediately after the word and punctuation "cultural," and before the words "or civic" delete the words "mardi-gras carnival"

Delegate Reeves moved the adoption of the amendment.

Delegate Conroy objected.

By a vote of 51 yeas and 54 nays the amendment was rejected.

Delegate Conroy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Perez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 7, in Floor Amendment No. 1 proposed by Delegate Munson, et al. and adopted by the convention on October 26, 1973, on line 2, of the amendment after the word "of" and before the word "products" insert the word "agricultural" and insert in lieu thereof the word "all".

Delegate Perez moved the adoption of the amendment.

Delegate Winchester objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate—

Aertker
Alario
Anzalone
Arnett
Badeaux
Bollinger
Boutin
Chatelain
Comar
Corne
Cowie
D'Gerolamo
Dennery
Duval
Fulco
Giarrusso
Goldman

Total—79.

Gravel
Grier
Guarisco
Hardee
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Kean
Kilbourne
Kilpatrick
Landry, A.
Lanier
LeBlu

NOT VOTING

Haynes
Juneau
Leigh
Maybuce
Miller
O'Neil
Planchard
Rachal
Riecke
Roemer
Sandoz
Schmitt
Segura
Singletary

Rayburn
Robinson
Roy
Shannon
Shane
Thistlethwaiter
Tobias
Wall

Rieke
Segura
Shannon
Slay
Soniat
Stephenson
Tapper
Thompson
Toea
Toomey
Ulio
Vesich
Vick
Wattigny
Willis

Delegate Fontenot objected.

By a vote of 74 yeas and 35 nays and the rules were suspended.

**Explanation of Vote**

Delegate Tobias sent up the following explanation of vote with respect to the adoption of the above amendment proposed by Delegate Nunez to Section 3 of Committee Proposal 26:

I have not voted on the Nunez amendment because of my personal interest in the outcome of the results.

MAX N. TOBIAS, JR.

Delegate Munson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**


Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 7, after the word "producer" and before the comma," insert the following: "and the unrefined products of the first proceedings of agricultural products while owned by the producer or processor"

Delegate Munson moved the adoption of the amendment.

Delegate De Bileux objected.

By a vote of 106 yeas and 6 nays the amendment was adopted.
Delegates—
Mr. Chairman        Haynes        Perkins
Alexander           Heine         Pugh
Bel                   Juneau      Robinson
Deshots             Landrum       Roy
Edwards              Leigh        Tate
Fayard               Maybuce      Thistlewaite
Hardee               Ouro
Total—20.

And the amendment was rejected.

Delegate Winchester moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.

Delegate Perez objected to tabling the motion reconsider.

By a vote of 55 yeas and 54 nays the motion to reconsider was tabled.

Delegate Bollinger sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Bollinger to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 17, after the word and punctuation “granted,” delete the remainder of the line and at the beginning of line 18, delete the word and punctuation “fuel.”

Delegate Bollinger moved the adoption of the amendment.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Abraham           Hernandez       Thompson
Bollinger         LeBluex        Toomy
Casey             Lennox         Velazquez
Conino           Schmitt        Vick
De Bieux           Segura        Wall
Dennis            Slay          Warren
Derbes            Soniat         Weiss
Dunlap             Sagg         Sutherland
Duval
Total—25.

**NAYS**

Delegates—
Alario            Blair          Chatelain
Anzalone         Brien           Chehardy
Arnette         Brown           Conroy
Asseff          Burns          Cowan
Avant           Cannon         D'Gerolamo
Badeaux          Carmouche    Dennery
Bel                  Champagne   Drew
Bergeron
Delegate Nunez objected.

By a vote of 28 yeas and 77 nays the Convention refused to order the previous question.

Motion

Delegate Nunez moved to withdraw the amendment.

Delegate Schmitt objected.

By a vote of 84 yeas and 3 nays the amendment was withdrawn.

Delegate Nunez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Nunez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 4, line 7, in Floor Amendment No. 1 proposed by Delegate Munson, et al. and adopted by the Convention on October 26, 1973, on line 2, of the text of the amendment after the word “products” and before the word “while” insert the words “and seafood and fish products or byproducts.”

Delegate Nunez moved the adoption of the amendment.

Delegate DeBlieux objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario
Anzalone
Bel
Bergeron
Bollinger
Brien
Burns
Cannon
Carmouche
Casey
Chehardy
Conino
D’Gerolamo
Dennery
Dennis
Derbes
Dunlap
Duval
Elkins
Fayard
Fontenot
Fowler
Fulco
Gauthier
Total—75.

NAYS

Delegates—

Abraham
Arnette
Assess
Avant
Badeaux
Blair
Burson
Champagne
Chatelain
Conroy

Total—29.

Delegates—

Mr. Chairman
Aerkker
Alexander
Brown
Comar
Corne
Deshotels
Edwards
Hardee
Haynes
Total—28.

NOT VOTING

Delegates—

Jackson, J.
Juneau
Kein
Kelly
Lambert
Landrum
Leigh
McDaniel
Maybuece
Ourso

Perkins
Pugh
Robinson
Roy
Shannon
Tate
Thistlethwaite
Wall

And the amendment was adopted.

Delegate Nunez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Warren sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Warren to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 4, line 7, after the word “producer” and before the comma “,” delete the Floor Amendment proposed by Messrs. Munson, et al. and adopted by the Convention on October 26, 1973, including all amendments to said Floor Amendment, and insert in lieu thereof the following:

“...and the unrefined products of the first processings of agricultural products and edible seafood while owned by the producer or first processor, provided that such processor does not prepare the product for final sale to the consumer.”

Delegate Warren moved the adoption of the amendment.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Alario
Avant
Badeaux
Bel
Bergeron
Bollinger
Brien
Burson
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowan
De Blieux
Derbes
Dunlap
Elkins
Flory
Fontenot
Fulco
Gauthier
Total—65.

NAYS

Delegates—

Cowan
De Blieux
Flory
Ginn
Jackson, A.
Mauberret
Rayburn
Rieche
Roemer
Schmitt
Singletary
Smith
Soniat
Stagg
Stephenson
Velazquez
Vick
Warren
Weiss

Ginn
Goldman
Heine
Jenkins
Kilbourne

Reeves
Riecke
Roemer
Sandoz
Schmitt
Singletary
Slay
Soniat
Stagg
Stephenson
Slinson
Sutherland
Thompson
Tobias
Toca
Velazquez
Vick
Wall
Warren
Wattigny
Weiss
Willis
Wisham
Womack
Zervigon

687
FLOOR AMENDMENT

Amendment proposed by Delegates Bollinger and Tapper to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 4, line 17, immediately after the word "gasoline" and before the word "as" insert the words "or diesel fuel"

Delegate Bollinger moved the adoption of the amendment.

Delegate Schmitt objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Anzalone
Derbes
Elkins
Fayard
Gauthier
Gravel
Total—17.

NAYS

Delegates—
Abraham
Aertker
Alario
Arnette
Assett
Avant
Badeaux
Bel
Bergeron
Blair
Brien
Burns
Burson
Carmouche
Casey
Champagne
Chateaun
Chehardy
Conino
Conroy
Total—26.

NOT VOTING

Hayes
Jackson, J.
Juneau
Kean
Lambert
Landrum
Leigh
Mayne
Munson
Ours

PERKINS
Pugh
Robinson
Shannon
Tapper
Thistlethwaite
Ullo

NOT VOTING

Mr. Chairman
Bollinger
Brown
Cannon
Comber
Deshotses
Drew
Edwards
Haynes
Jackson, J.
Juneau
Kean
Lambert
Landrum
Leigh
McDaniel
Mayne
Miller
Total—30.

And the amendment was rejected.

Delegate Schmitt moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Anzalone sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Anzalone to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 4, line 20, immediately after the word "Highways" change the period to a semicolon ";" and add the following: "all books, papers, office equipment, and supplies of law offices."

Motion

Delegate Lowe moved the previous question on the entire subject matter.

Delegate Rayburn objected.

By a vote of 22 yeas and 77 nays and the Convention refused to order the previous question on the entire subject matter.

Delegate Anzalone moved the adoption of the amendment.

Delegate Planhard objected.

By a vote of 1 yea and 99 nays the amendment was rejected.

Delegate Planhard moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Drew sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Drew to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 4, line 29, after the word "governor" delete the comma ";" and delete the remainder of the line and at the beginning of line 30, delete the partial word "ity"

AMENDMENT No. 2—
On page 5, line 2, after the word "governor" delete the comma ";" delete the remainder of the line and at the beginning of line 3, delete the word and punctuation "ity."

AMENDMENT No. 3—
On page 5, at the end of line 10, delete the words "No ex-" and delete lines 11 through 16, both inclusive, in their en-
Motion
Delegate O'Neill moved to suspend the temporary rules which allowed two speakers for each side on the remaining amendments to this Section in order to allow unlimited debate to the amendments now under consideration.

Delegate Schmitt objected.

By a vote of 49 yeas and 31 nays the Convention refused to suspend the rules.

Delegate Drew moved the adoption of Amendments Nos. 1 and 2.
Delegate Schmitt objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham—Fowler
Aiseff—Ginn
Avant—Graham
Blair—Gravel
Brien—Hayes
Casey—Hernandez
Conroy—Jackson, A.
Cowan—Jenkins
DeBlieux—Lennox
Dennery—Lowe
Dennis—Mire
Drew—Newton
Fiery—O'Neill

Total—38.

NAYS

Delegates—
Aertker—Fontenot
Alario—Fulco
Anzalone—Giarrusso
Arnette—Gauthier
Badeaux—Giarrusso
Bergeron—Grier
Bollinger—Hardee
Burns—Jack
Burson—Kelly
Carmouche—Kilpatrick
Champagne—Landrum
Chatelain—Landry, A.
Chehardt—Landry, E. J.
Comar—Lanier
Conino—LeBluett
Corne—LeChtman
D'Geralomo—McDaniel
Derbes—Maubereet
Duval—Perez
Elkins—Fayard

Total—61.

NOT VOTING

Delegates—
Mr. Chairman—Guarisco
Alexander—Haynes
Bel—Jackson, J.
Brown—Juneau
Cannon—Keen
Deshotsel—Kilbourne
Dunlap—Lambert
Edwards—Leigh

Total—32.

And the amendment was adopted.

Delegate Drew moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Vice Chairman Casey in the Chair
Delegate D'Geralomo sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegates D'Gerolamo, Chehardy, Toca and Nunez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 4, delete lines 28 through 32, both inclusive, in their entirety and delete page 5 in its entirety and on page 6, delete lines 1 through 5, both inclusive, including all Floor Amendments to said pages and lines in their entirety and insert in lieu thereof the following:

"If any new manufacturing establishment or an addition to any manufacturing establishment already existing in the state may be exempted from ad valorem taxation for a period not to exceed ten years. Such exemption shall only be granted as provided by law and by approval of the local governing authority in which the manufacturing establishment is or will be located."

Delegate D'Gerolamo moved the adoption of the amendment.

Delegate Stagg objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario    Fayard    Riecke
Anzalone  Gauthier  Schmitt
Badeaux   Landry, A.  Shannan
Bergeron  Landry, E. J.  Singletary
Bollinger Lanier    Stinson
Burns     LeBlanc  Tapper
Chatelain Leithman  Thompson
Chehardy  Maubert   Toca
Comar     Newton    Toomy
Conino    Nunez      Ulo
De Blieux Perez    Velazquez
Derbes    Planchar  Velazquez
Duval     Rachal    Willis
Reeves

Total—41.

NAYS

Delegates—

Abraham  Fulco    Mire
Arnette  Garrusso  O'Neill
Aseff    Goldman  Roemer
Avant    Graham    Sandoz
Brien    Gravel    Segura
Burns    Grier     Slay
Casey    Hayes     Smith
Champagne Haynes  Soniat
Corroy   Heine     Stagg
Cone     Hernandez  Sutherland
Cowen    Jack      Tobias
Denner   Jenkins   Warren
Dennery  Kelly     Wattigny
Dew      Lennox    Winchester
Elkins   Lowry     Wisham
Fontenot Lowe     Zervigon
Fowler

Total—50.

NOT VOTING

Delegates—

Mr. Chairman
Aertker
Alexander
Bell
Blair
Brown    Edwards  Rayburn
Cannon   Ginn     Roemer
Carmouche  Guarisco  Sandoz
DeShotes  Hardee    Shannan
Dunlap   Jackson, J.

Juneau    Maybuce  Stephenson
Kean      Miller   Stovall
Kilbourne Munson  Tate
Kilpatrick Oseo     Thistlewaite
Lambert   Perkins  Vick
Landrum   Pugh      Wall
Leigh     Robinson  Weiss
McDaniel  Roy      Womack

Total—41.

And the amendment was rejected.

Delegate Stagg moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Chehardy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Chehardy, Schmitt, D'Gerolamo and Toca to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 4, between lines 5 and 6, add the following:

"Any exemption granted under authority of this Paragraph shall be granted only in accordance with a formula which will grant one percent of the total exemption to be granted for every ten new permanent jobs created, up to an exemption of one hundred percent for a manufacturing establishment which provides one thousand or more new permanent jobs."

Delegate Chehardy moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario    Fayard    Schmitt
Anzalone  Flor    Segura
Avant    Gauthier  Singletary
Bolle    Jackson, A.  Sivall
Burns    Leithman  Velazquez
Chatelain Maubert  Toca
Chehardy  Nunez      Velazquez
Conino    Perez    Velazquez
De Blieux Reeves  Velazquez

Total—29.

NAYS

Delegates—

Abraham  Goldman  Rayburn
Arnette  Graham  Roemer
Aseff    Gravel    Sandoz
Badeaux  Grier     Shannan
Bollinger Hayes    Slay
Burns    Hernandez  Smith
Burns    Jack      Soniat
Casey    Jenkins   Stagg
Champagne  Jenkins  Stephenson
Conroy   Landry, A.  Stinson
Cone     Landry, E. J.  Tapper
Cowen    Lanier    Thompson
Denner   LeBlanc  Tobias
Dennery  Lennox   Tomby
Drew     Lowe     Vesich
Elkins   Martin    Wattigny
Flory    Mire      Winchester
Fontenot Nunez    Wisham
Fowler   O'Neill   Zervigon

Total—50.
NOT VOTING
Delegates—
Mr. Chairman
Aertker
Alexander
Bel
Blair
Brown
Cannon
Carmouche
Comar
Deshots
Dunlap
Duval
Edwards
Ginn
Total—42.

Delegate Gravel moved the adoption of the amendment.
Delegate Perez objected.
By a vote of 40 yeas and 50 nays the amendment was rejected.
Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Stovall moved that the Convention take up other Orders of Business at this time.
Delegate Abraham objected.
By a vote of 50 yeas and 36 nays the Convention took up other Orders of Business.

Leaves of Absence
Delegate Juneau—1 day.
Delegate Alexander—October 26 through November 10.
Delegate Lowe—½ day.
Delegate J. Jackson—1/3 day.

Adjournment
Delegate Rayburn moved that the Convention do now adjourn until Saturday, October 27, 1973 at 9:00 o'clock A.M.
Which motion was agreed to.
And Vice-Chairman Casey declared the Convention adjourned to Saturday, October 27, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

SEVENTY-FOURTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature
Saturday, October 27, 1973, Baton Rouge, La.
The Convention was called to order at 9:00 o'clock a.m. by
Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

<table>
<thead>
<tr>
<th>Present</th>
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<tr>
<td>Delegates—</td>
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<tr>
<td>Mr. Chairman</td>
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<td>Abraham</td>
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<td>Fayard</td>
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<td>Florie</td>
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<td>Deshotels</td>
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<td>Hardee</td>
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<td>Haynes</td>
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<td>Total—22.</td>
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The Chairman announced that there were 110 members
present and a quorum.

Prayer
Prayer was offered by Delegate Schmitt.

Pledge of Allegiance
Delegate Nunez led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of
America.

Reading of the Journal
On motion of Delegate Singletary, the reading of the Jour-
nal was dispensed with.

On motion of Delegate Singletary, the Journal of yesterday
was adopted.

Regular Order
Unfinished Business
The following unfinished business in which the Conven-
tion was engaged at the time of its adjournment on yesterday
was taken up and acted on:

Proposals
Delegate and Committee
The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—
Introduced by Delegate Rayburn, Chairman, on behalf of
the Committee on Revenue, Finance and Taxation, and Dele-
gates Alario, Brown, Chehardy, Edwards, Goldman, Maub-
ret, Mire, Nunez, Planchard, Slad and Winchester:
A PROPOSAL
Making provisions for property taxation.

Read.

Section 3. Homestead Exemption; Other Property Exem-
ptions

Section 3. The following property shall be exempt from ad
valorem taxation: (A) Homesteads. From state, parish, and
special taxes, the homestead, bona fide, consisting of a tract
of land, or two or more tracts of land with a residence on
one tract and a field, pasture, or garden on the other tract
or tracts, not exceeding one hundred and sixty acres, build-
ings and appurtenances, whether rural or urban; owned and
occupied by any person, in the full amount of five thousand
dollars of the assessed valuation. However, veterans and
persons sixty-five years or older shall be provided with a
homestead exemption of six thousand dollars of the as-
essed valuation. No exemption shall extend to any munici-
pal or city taxes except the following: (1) in Orleans Parish
this exemption shall apply to the state, the general city, the
school, the levee, and levee board taxes; (2) to any munici-
pal or city taxes levied for school purposes. The exemption
of homestead shall extend to the surviving spouse or minor
child or children of a deceased owner and to the bona fide
homestead when occupied as such and title thereto is in
either husband or wife, provided that this exemption shall
not be extended to more than one homestead owned by the
husband or wife.

(B) All public property.

(C) Places of religious worship; property owned by reli-
gious denominations and used as residences for clergy or
religious; places of burial, and property held by any religious
denomination or non-profit corporation, or organization for
burial purposes, but the exemption shall not apply to unso-
lots, crypts, or places for burial nor shall it apply to lands
held for development as places for burial, when so held for
profit; universities, schools and colleges; places devoted to
nursing homes, for the aged, convalescent and rehabilitation
facilities, institutions for treatment, rehabilitation and care of
the physically and mentally handicapped or retarded, orphanages,
child and/or day care centers, which are organized as non-profit
corporations under the Louisiana Non-profit Corporations
Law or which are exempt from federal and state income
taxation law which are licensed or regulated by the state of
Louisiana; organizations such as lodges and clubs organized
for charitable and fraternal purposes and practicing the
same; but exemption shall extend only to property, and

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grounds thereunto appurtenant, used for the above mentioned purposes, and not leased for profit or income.

(D) Cash on hand or deposit; stocks and bonds, except bank stocks, which shall be assessed and taxed solely as provided by law, and the tax paid by the banking institution; obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof; loans by life insurance companies to policyholders, if secured solely by their policies; the legal reserve of domestic life insurance companies; loans by homestead or building and loan associations; raw materials and manufactured articles held by stock of said associations; debts due for merchandise or other articles of commerce or for services rendered; obligations of the state or its political subdivisions; all personal property used in the home or on loan in a public place; agricultural products while owned by the producer; agricultural machinery and other implements used exclusively for agricultural purposes, and all animals on the farm, and property belonging to agricultural fair associations; all property used for cultural, mardi-gras carnival or civic activities and not operated for profit to the owners; all oceangoing vessels engaged in international trade and domiciled in Louisiana ports, but this exemption shall not apply to harbor, wharf, shed, and other port dues, and no vessel operated in the coastal waters of the continental United States shall be eligible for the exemption hereof granted; boats using gasoline as motor fuel; commercial vessels used for gathering seafood for human consumption; and rights-of-way granted to the State Department of Highways.

(E) From state, parish, and special taxes, all motor vehicles used and kept by the state, provided this exemption shall not extend to any general or special tax levied by the governing authority of any municipality, or district created by any such municipality, unless the governing authority thereof shall provide for such exemption by ordinance or resolution.

(F) The State Board of Commerce and Industry, with the approval of the governor, and the local governing authority may enter into contracts for the exemption of any new manufacturing establishment or an addition or additions to any manufacturing establishment already existing in the state upon such terms and conditions as the board, with the approval of the governor, and the local governing authority, may deem to be to the best interest of the state. The terms "manufacturing establishment" and "addition" or "additions" as used in this Paragraph mean a new plant or establishment or any addition to any existing plant or establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, new qualities, or new combinations to matter which already has gone through some artificial process. No exemption shall be continued for any new manufacturing establishment in any locality where there is a manufacturing establishment actually engaged in the manufacture of the same or closely competitive articles without the written consent of the owner of such existing manufacturing establishment to be attached to and identified with the contract of exemption. No exemption from taxes shall be granted under the authority of this Paragraph for a longer initial period than five calendar years from the date of the execution of the contract of exemption or five calendar years from the date of the completion of the construction as described in the contract for tax exemption, the commencement of the exemption upon either of such dates to be specified in the contract at the discretion of the State Board of Commerce and Industry and subject to the approval of the governor, upon presentment of a request for such an additional period of five calendar years. Any such exemption shall ipso facto cease upon violation of the terms and conditions of the contract which granted the same. All property exempted, in accordance with the provisions of this Paragraph shall be listed on the assessment rolls and submitted to the Louisiana Tax Commission, but no taxes shall be collected thereon during the period of exemption.

(G) (l) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States:

(a) So long as such imports remain upon the public property of the port authority or docks of any common carrier where such imports first entered this state; or

(b) So long as such imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages, and raw materials held in bulk as all or a part of the new material inventory of manufacturers or processors, solely for manufacturing or processing; or

(c) So long as such imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages or agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade for sale at retail.

(2) All raw materials, goods, commodities, and other articles being held upon the public property of a port authority or docks of any common carrier or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the continental United States.

(3) All goods, commodities, and personal property in public or private transit through this state which is (a) moving in interstate commerce through or over the territory of the State of Louisiana; or (b) which is in public or private storage within the State of Louisiana having been shipped thence from outside of the State of Louisiana for storage in transit to a final destination outside the State of Louisiana, whether such destination was specified when transportation begins or afterward.

All such property described in this Paragraph (G) whether entitled to exemption or not shall be reported to the proper taxing authority on the forms required by law.

(H) Additional property may be exempted from taxation if authorized by a two-thirds vote of the elected membership of each house of the legislature.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 26, Section 3, when it adjourned on Friday, October 27, 1973, which was taken up and acted upon as follows:

Motion

Delegate Planche moved for a suspension of the rules in order to suspend the temporary rules which limited debate to two speakers on each side of the question on the remaining amendments to Section 3.

Delegate Abraham objected.

By a vote of 45 years and 42 nays and the Convention refused to suspend the rules at this time.

Motion

Delegate Mire moved that the Convention defer further action on Section 3 at this time.

Delegate D'Gerolamo objected.

By a vote of 64 years and 27 nays the Convention deferred further action on Section 3 at this time.

Section 4. No Impairment of Existing Taxes or Obligations

Section 4. The provisions of Article XI, Section 2, in no way shall be construed or applied in such a manner as to: (a) invalidate taxes authorized and imposed prior to the adoption of this constitution; or (b) impair the obligations, validity, or security of any bonds or other debt obligations authorized prior to the adoption of this constitution.

Read.

Delegate Tobias sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Tobias to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—

On page 7, line 15, after the word "of" delete the remainder of the line and insert in lieu thereof the following:

"this Article in no"

On motion of Delegate Tobias the amendment was adopted.

Delegate Tobias moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Rayburn sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Rayburn to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, delete lines 14 and 15 in their entirety, and insert in lieu thereof the following:

"Section 4. Limitation on Bonded Debt; Impairment of Existing Taxes and Obligations Prohibited"

Section 4, (A) General obligation bonds may be issued by any political subdivision for any single purpose which, including the bonds of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the total value of all property within such subdivision valued for assessment purposes, including property exempt as homesteads, to be ascertained by the last such valuation for political subdivision purposes previous to incurring such indebtedness except that as to both parishwide school districts and other school districts, the limitation shall be twenty-five percent of the total value of all property within such district valued for assessment purposes, including property exempt as homesteads to be ascertained by the last such valuation for assessment purposes previous to incurring such indebtedness.

(B) The provisions of this Article in no

On motion of Delegate Rayburn the amendment was withdrawn.

Passage

Committee Proposal No. 26, Section 4, was read, as amended.

Delegate Slay moved the passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman
Abraham
Aertker
Alario
Anzalone
Arnette
Assi
Badieux
Bergeron
Blair
Bollinger
Bright
Brown
Burns
Burnson
Cannon
Carmouche
Casey
Champagne
Chairalan
Chievry
Comar
Conino
Conroy
Core
Cowen

D'Gerolamo
De Bleux
Denery
Derbes
Drew
Edwards
Elkins
Fayard
Fowler
Fulco
Gauthier
Girard
Ginn
Goldman
Gravel
Grier
Guirac
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Kelly
Kilpatrick
Landrum
Lawry, J.
Lawry, C.
Lanier
LeBlanc
LeBlanc
LeBlanc
Lewin
Lewin
McDaniel
Martin
Maurer
Miller
Mire
Newton
Nunez
Planard
Reeves
Roe
Roemer
Sandoz
Schmitt
Shannon
Singletary
Slay

**NAYS**

Delegates—

Avant
Dennis
Flory

Total—7.

**NOT VOTING**

Delegates—

Alexander
Bel
Deshotels
Dunlap
Duval
Fontenot
Hardee
Haynes
Juneau
Rachal

Total—26.

And the Chair declared that the above Section was passed.

Delegate Slay moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 5. Adjustment of Ad Valorem Tax Millages**

Section 5. The amount of taxes collected by any taxing authority in the state shall not be increased or decreased because of the method of assessing property at a uniform ratio of assessment to value as provided in Article XI, Section 1, and it shall be the mandatory duty of all taxing authorities to adjust millages proportionate to adjustments in assessment values so as to produce the same total dollar amount of revenue. Such millage adjustments shall be made without regard to limitations contained elsewhere in this constitution. Nothing provided herein shall be construed to prohibit any taxing authority from collecting a larger dollar amount of ad valorem taxes by means of the following:

(a) by levying additional millages as provided by law; (b) by placing additional property on the tax rolls; or (c) by reason of increased property values due to economic conditions. Nothing contained herein shall be construed to diminish the security of outstanding bonds.

Read.

Delegate Conroy moved the passage of the Section.

**FLOOR AMENDMENT**

Amendment proposed by Delegates Conroy, Mire, Casey and Gravel to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, line 22, after "Section 5," delete the remainder of the line and insert in lieu thereof the following:

"The total amount of taxes collected by any taxing authority shall not be increased or decreased because of implementation of the provisions of Section 1 of this Article relating to changing in the method of assessing property and increasing homestead exemptions. Upon implementation of such provisions, it shall be the mandatory duty of taxing authorities to adjust each millage in inverse proportion to the change in total taxable assessments so as to produce the same total dollar amount of revenue as would have been produced by the method of assessing property and homestead exemptions theretofore in effect."

On motion of Delegate Conroy the amendment was withdrawn.

Delegate Conroy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Chehardy, Conroy, Mire, Gravel, Lowe, Schmitt, De Bleux, Champagne, Roe-
mer, Slay and Winchester to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 27, line 22, after the words and punctuation "Section 5," delete the remainder of the line and delete lines 23 through 30, both inclusive, in their entirety and at the beginning of line 31, delete the word and punctuation "constitutions," and insert in lieu thereof the following:

"The total amount of ad valorem tax revenues actually collected by any taxing authority in the state shall not be increased or decreased because of the provisions of this Article above or below. Ad valorem tax revenues actually collected by such taxing authority in the year immediately preceding the year in which provisions of this constitution relating to ad valorem taxes are implemented. To accomplish this result, it shall be the mandatory duty of each affected taxing authority to adjust millages upwards or downwards, without regard to millage limitations contained in Article VI of this constitution."

Delegate Conroy moved the adoption of the amendment.

Delegate Cannon objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Aertker
Alario
Anzalone
Avant
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Carmouche
Casey
Champagne
Chehardy
Comar
Conlin
Conroy
Coote
D’Gerolamo
De Blieux
Dennery
Dennis
Derbes
Edwards
Fayard

Total—83.

NAYS

Delegates—

Cannon
Chatelain
Hayes

Total—9.

NOT VOTING

Delegates—

Mr. Chairman
Alexander
Arnette
Asseff
Bel
Burson
Deshotsels
Drew
Dunlap
Duval

Total—40.

And the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Zervigon moved to defer further action on Section 5, at this time.

Delegate Shannon objected.

By a vote of 49 yeas and 30 nays further action on Section 5 was deferred.

Motion

Delegate Newton moved that action on Committee Proposal, Section 6 and 7, be deferred at this time.

As a substitute Delegate Perez moved that the Convention resolve itself into Committee of the Whole for the purpose of discussing Sections 6 and 7 for a period of one hour.

Delegate Mire objected.

As a further substitute, Delegate Rayburn moved that the Convention take up other Orders of Business at this time.

Delegate Abraham objected.

By a vote of 48 yeas and 30 nays the Convention took up other Orders of Business at this time.

Motion

On motion of Delegate Zervigon, the Convention altered the Order of Business to take up Introduction of Resolutions at this time.

Introduction of Resolutions

Delegates and Committee Resolution

The following delegates and Chairmen on behalf of their committees introduced the following entitled resolutions:

COMMITTEE RESOLUTION No. 12—

Introduced by Delegate Zervigon, Chairperson of the Committee on Legislative Liaison and Transitional Measures, and Delegates Comar, D’Gerolamo, Drew, Fayard, Hardee, J. Jackson, Lambert, Lanier, LeBlanc, Lennox, Munson, Rayburn, Smith, Thompson, Vick and Womack:

A RESOLUTION

To extend the date by which certain reports shall be transmitted to the Committee on Legislative Liaison and Transitional Measures.

WHEREAS, Committee Resolution Number 11 of this Convention recognizes the need for providing certain information to the Committee on Legislative Liaison and Transitional Measures in order that proper plans may be made to effectuate the transition from the Constitution of 1921 to the new Constitution; and

WHEREAS, it has become evident that the date by which status reports from each substantive committee to the Committee on Legislative Liaison and Transitional Measures should be extended.

THEREFORE, BE IT RESOLVED that each of the eight substantive committees of this Constitutional Convention of 1973 shall divide the material within its jurisdiction into the categories set forth in Committee Resolution Number 11 and shall submit the written report therein required to the Convention within ten days after first enrollment of each committee and delegate proposal or by November 15, 1973, whichever is the later date.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted without delay to the chairman of each of the eight substantive committees of this Convention.

Read.

Lies over under the rules.

Report

On motion of Delegate Lowe the following report was ordered incorporated in the Official Journal.
PAGE

5

74th Days Proceedings— October

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### CONSTITUTIONAL CONVENTION 1973

#### Comparison of Budgeted and Actual Expenses

**JULY 1973**

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<td><strong>Total</strong></td>
<td>88,682.50</td>
<td>70,729.61</td>
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- **Employer's Fringe Benefit Share**
  - Teachers' Retirement: 255.00
  - State Retirement: 5,150.00
  - F.I.C.A.: 250.00
  - Group Hospitalization: 335.00
  - Group Life: 125.00
  - Workmen's Compensation: 417.00
- **Total Budgeted Employers Fringe Benefit Share:** 6,582.00
- **Total Actual Employers Fringe Benefit Share:** 4,764.12

**Comparison of Budgeted and Actual Expenses—JULY 5, 1973-JULY 31, 1973**

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<tr>
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<td>280,279.22</td>
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**Other Expenses**

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<td>133,700.00</td>
<td>70,268.07</td>
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<tr>
<td>Meeting Expense</td>
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<td>Postage</td>
<td>700.00</td>
<td>672.05</td>
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<tr>
<td>Printing</td>
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</tr>
<tr>
<td>Daily Journal</td>
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<tr>
<td>Equipment Rental</td>
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<td>46,366.89</td>
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**Total Budgeted Other Expenses:** 58,066.89
**Total Actual Other Expenses:** 58,066.89

**Grand Total:**

- **Total Budgeted Expenses:** 87,525.19
- **Total Actual Expenses:** 82,957.83

Respectfully submitted by

HERMAN "MONDAY" LOWE
Treasurer
Constitutional Convention 1973

### CONSTITUTIONAL CONVENTION 1973

#### Comparison of Budgeted and Actual Expenses

**AUGUST 1973**

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<td>32.32</td>
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</table>

- **Employer's Fringe Benefit Share**
  - Teachers' Retirement: 255.00
  - State Retirement: 5,150.00
  - F.I.C.A.: 250.00
  - Group Hospitalization: 335.00
  - Group Life: 125.00
  - Workmen's Compensation: 417.00
- **Total Budgeted Employers Fringe Benefit Share:** 5,582.50
- **Total Actual Employers Fringe Benefit Share:** 5,582.50

**Comparison of Budgeted and Actual Expenses—AUGUST 1, 1973 THROUGH AUGUST 1973**

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<thead>
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**Other Expenses**

<table>
<thead>
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<th>Under/Over</th>
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<tr>
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<td>Meeting Expense</td>
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<tr>
<td>Postage</td>
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<td>672.05</td>
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<tr>
<td>Printing</td>
<td>2,181.65</td>
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<tr>
<td>Daily Journal</td>
<td>13,721.64</td>
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<tr>
<td>Equipment Rental</td>
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<td>Telephones</td>
<td>3,715.36</td>
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<td>Staff Travel</td>
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<td><strong>Total</strong></td>
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**Total Budgeted Other Expenses:** 58,066.89
**Total Actual Other Expenses:** 58,066.89

**Grand Total:**

- **Total Budgeted Expenses:** 97,525.19
- **Total Actual Expenses:** 93,957.83

Respectfully submitted by

HERMAN "MONDAY" LOWE
Treasurer
Constitutional Convention 1973

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### CONSTITUTIONAL CONVENTION 1973

Comparison of Budgeted and Actual Expenses

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<td>I.S.U. Renovation</td>
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<td><strong>Total:</strong></td>
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<td>1,140,311.29</td>
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</tr>
</tbody>
</table>

Respectfully submitted by
HERMAN "MONDAY" LOWE
Treasurer
Constitutional Convention 1973

### Leaves of Absence

Delegate Rachal—1 day.
Delegate Weiss—1 day.
Delegate Thompson—1 day.
Delegate Bel—1 day.
Delegate Ullo—1 day.
Delegate Keen—1 day.
Delegate Perkins—1 day.
Delegate Juneau—1 day.
Delegate Thistlethwaite—Indefinite.

### Adjournment

Delegate Shannon moved that the Convention do now adjourn until Wednesday, October 31, 1973, at 1:00 o'clock P.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Wednesday, October 31, 1973, at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

SEVENTY FIFTH DAY'S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature


The Convention was called to order at 1:00 o'clock p.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman—
Abraham
Aetker
Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Bilbo
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Camouche
Case
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowan
D'Gerolamo
De Blieux
Denery
Dennis
Doroshow
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

Fulco
Gauthier
Garrison
Ginn
Goldman
Gravel
Grier
Guarisco
Hardoe
Hayes
Haynes
Heine
Hernandez
Jackson
Jackson
Jenkins
Juneau
Kean
Kelly
Kilpatrick
Lambert
Landrum
Landry
Landry
Lehman
Lowe
McDaniel
Martin
Maubert
Maybuche
Miller
Mire
Newton
Nunez
O'Neill
Osurso

Perez
Perkins
Planchar
Rachal
Rayburn
Reeves
Roemer
Roy
Sandor
Schmitt
Segura
Shannon
Sinz
Singletary
Smay
Smith
Soniat
Stagg
Stephenson
Stinson
Stevail
Sutherland
Tapper
Tate
Thompson
Tobias
Toca
Toomy
Uullo
Velaquez
Vesich
Vick
Wall
Warren
Wattigny
Willis
Winchester
Wisham
Womack
Zervigon

ABSENT

Delegates—
Alexander
Drew
Drew
Fowler
Kibbourne

Lennox
Munson
Pugh
Riecke

Robinson
Thistlethwaite
Weiss

The Chairman announced that there were 121 members
present and a quorum.

Prayer

Prayer was offered by Delegate Abraham.

Pledge of Allegiance

Delegate Jenkins led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Goldman, the reading of the Journal
was dispensed with.

On motion of Delegate Goldman, the Journal of yesterday
was adopted.

Morning Hour

Resolutions on Second Reading and Referral

The following entitled Committee and Delegate Resolutions
on second reading to be referred to Committees were taken
up, read, and referred to Committees, as follows:

COMMITTEE RESOLUTION No. 12—

Introduced by Delegate Zervigon, Chairperson of the
Committee on Legislative Liaison and Transitional Measures,
and Delegates Comar, D'Gerolamo, Drew, Fayard, Hardee,
J. Jackson, Lambert, Lanier, LeBleu, Lennox, Munson, Ray-
burn, Smith, Thompson, Vick, and Womack:

A RESOLUTION

To extend the date by which certain reports shall be trans-
mitted to the Committee on Legislative Liaison on
Transitional Measures.

Read.

On motion of Delegate Zervigon, the rules were suspended
in order to consider the adoption of the Resolution.

Delegate Zervigon moved the adoption of the Resolution.

By a vote of 87 yeas and 0 nays the Resolution was
adopted.

Delegate Zervigon moved to reconsider the vote by which
the Resolution was adopted, and on her own motion, the
motion to reconsider was laid on the table.

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday was
taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals
were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of
the Committee on Revenue, Finance and Taxation, and Dele-
gates Alario, Brown, Chehardy, Edwards, Goldman, Mauber-
ret, Mire, Munoz, Planechard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Motion

On motion of Delegate Comar to suspend the temporary
rule which limited debate to two speakers for each side on
Committee Proposal No. 26, Section 3, in order to proceed
under the regular order pertaining to debate on a Section to
a Proposal.

Delegate Stagg objected.

By a vote of 64 yeas and 25 nays the Convention suspended
the temporary rule and proceeded under the regular order
pertaining to debate on a Section to a Proposal.

Motion

On motion of Delegate Munoz the Convention took up
Section 3. Homestead Exemption; Other Property Exemptions

Section 3. The following property shall be exempt from ad valorem taxation: (A) Homesteads. From state, parish, and special taxes, the homestead, bona fide, consisting of a tract of land, or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other or adjoining one hundred and sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, in the full amount of five hundred dollars of the assessed valuation. However, veterans and persons sixty-five years or older shall be provided with a homestead exemption of six thousand dollars of the assessed valuation. No exemption shall extend to any municipal or city taxes except the following: (1) in Orleans Parish this exemption shall apply to the state, the general city, the school district, and levee district taxes; (2) to school municipal or city taxes levied for school purposes. The exemption of homestead shall extend to the surviving spouse or minor child or children of a deceased owner and to the bona fide homestead when occupied as and title held through the ownership of the husband or wife, provided that this exemption shall not be extended to more than one homestead owned by the husband or wife. (B) All public property. (C) Places of religious worship; property owned by religious denominations and used as residences for clergy or religious; places of burial, and property held by any religious denomination or nonprofit corporation or organization for burial purposes, but the exemption shall not apply to unsold lots, crypts, or places for burial, or which shall be held and used as places for burial, when so held for profit; universities, schools and colleges; places devoted to charitable undertakings; hospitals, nursing homes, homes for the aged, convalescent and rehabilitation facilities, institutions for treatment, rehabilitation and care of the physically and mentally handicapped or retarded, orphanages, child and/or day care centers, which are organized as non-profit corporations under the Louisiana Non-profit Corporations Law or which are exempt from federal and state taxes and are licensed or regulated by the state of Louisiana; organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same; but exemption shall extend only to property, and grounds therefor, held by groups for the purpose of their own membership purpose and not leased for profit or income. (D) Cash on hand or deposit; stocks and bonds, which shall be assessed and taxed solely as provided by law, and the tax paid by the banking institution; obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof; loans by life insurance companies to policyholders, if secured solely by their policies; the legal reserve of domestic life insurance companies; loans by homestead and building and loan associations to their members, if secured solely by stock of said associations; debts due for merchandise or other articles of commerce or for services rendered; obligations of the state or its political subdivisions; all personal property used in the home or on loan in a public place; agricultural products when owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, and all animals on the farm, and property belonging to agricultural fair affiliations; all property used for cultural, mardi-gras or civic activities and not operated for profit to the owners; all oceangoing vessels engaged in international trade and domiciled in Louisiana ports, but this exemption shall not apply to harbor, wharf, shed, and other port dues, and all vessels engaged in the coastal trade of the continental United States shall be within the exemption herein granted; boats using gasoline as motor fuel; commercial vessels used for gathering seafood for human consumption; and rights-of-way granted to the State Department of Highways. (E) From state, parish, and special taxes, all motor vehicles used on the public highways of this state, provided that this exemption shall not extend to any general or special tax levied by the governing authority of any municipality, or district created by any such municipality, unless the governing authority thereof shall provide for such exemption by ordinance or resolution. The State Board of Commerce and Industry, with the approval of the governor, and the local governing authority may enter into contracts for the exemption of any new manufacturing establishment or an addition or additions to manufacturing establishments already existing in the state upon such terms and conditions as the governing authority, with the approval of the governor, and the local governing authority, may deem to be to the best interest of the state. The terms "manufacturing establishment" and "addition" or "additions" include articles being added to a new factory, or to any existing factory or an addition or additions to any existing plant or establishment which engages in the business of working raw materials into wares suitable for use or which gives new shapes, new qualities, or new combinations to matter which already exists. Any exemption granted under the authority of this paragraph shall be contracted for any new manufacturing establishment in any locality where there is a manufacturing establishment actually engaged in the manufacture of the same or closely competitive articles without the written consent of the owner of said manufacturing establishment to be attached to and identified with the contract of exemption. No exemption from taxes shall be granted under the authority of this Paragraph for a longer initial period than five calendar years from the date of the execution of the contract or five calendar years from the date of the completion of the construction as described in the contract for tax exemption, the commencement of the exemption upon either of such dates to be specified in the contract at the discretion of the State Board of Commerce and Industry, and subject to approval by the governor. Upon application within ninety days before the expiration of the initial period of five years, and upon proper showing of a full compliance with the contract of exemption by the contractee, any exemption granted under the authority of this subsection shall be renewed for an additional period of five calendar years. Any such exemption shall ipso facto cease upon violation of the terms and conditions of the contract which granted the same. All property exempted, in whole or in part, under authority of this Paragraph shall be listed on the assessment rolls and submitted to the Louisiana Tax Commission, but no taxes shall be collected thereon during the period of exemption. (G) (1) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States: (a) So long as such imports remain upon the public property of the port authority or docks of any common carrier where such imports first entered this state; or (b) So long as such imports are held by lawful title; or (c) So long as such imports are held by lawful title, if any more time is moving in interstate commerce through or over the territory of the State of Louisiana; or (h) Which is in public or private storage within the State of Louisiana has been shipped thereto from outside of the State of Louisiana for storage in such public or private establishment outside of Louisiana, whether such destination was specified when transportation begins or afterward. All such property described in this Paragraph (G) whether entitled to exemption or not shall be reported to the proper taxing authority on the forms required by law.
AMENDMENT No. 1—

On page 3, delete lines 5 through 32, both inclusive, in their entirety and on page 4, delete lines 1 through 20, both inclusive, in their entirety, and all floor amendments adopted thereto and insert in lieu thereof the following:

“(C) That owned by nonprofit corporations or associations organized and operated exclusively for religious, dedicated places of burial, charitable, health, welfare, fraternal, educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or member thereof and which is declared to be exempt from federal or state income tax; property of bona fide labor organizations representing their members or affiliates in collective bargaining efforts; organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same; and properties of nonprofit corporations devoted to the promotion of trade, travel, and commerce, and trade, business, industry and professional societies or associations provided such property is owned by nonprofit corporations or associations organized under the laws of the state of Louisiana for such purposes; except immovable property owned, operated, leased, or used for commercial purposes, unrelated to the exempt purposes of said corporation or association.

(D) Cash on hand or deposit, stocks and bonds, except bank stocks, the tax on which shall be paid by the banking institution; obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof; loans by life insurance companies; or any evidence of loans by life insurance companies to policyholders, if secured solely by their policies; and the legal reserve of domestic life insurance companies; loans by homestead or building and loan associations to their members, if secured solely by stock of said associations; debts due for merchandise or other articles of commerce or for services rendered; obligations of the state or its political subdivisions; all personal property used in the home or on loan in a public place; agricultural products while owned by the producer, agricultural machinery and other implements used exclusively for agricultural purposes, and all animals on the farm, and property belonging to agricultural fair associations; all property used for cultural, Mardi Gras carnival or civic activities and not operated for profit to the owners; all ships and oceangoing tugs, towboats, and barges engaged in international trade and domiciled in Louisiana ports, but this exemption shall not apply to harbor, wharf, shed, and other port dues, and no vessel operated in the coastal trade of the continental United States shall be within the exemption herein granted; boats using gasoline as motor fuel; commercial vessels used for gathering seafood for human consumption; and rights-of-way granted to the State Department of Highways."

Delegate Rayburn moved the adoption of the amendment.

Delegate Newton objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Yeas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Haynes</td>
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<tr>
<td>Aertker</td>
<td>Heine</td>
</tr>
<tr>
<td>Alario</td>
<td>Hernandez</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Jack</td>
</tr>
<tr>
<td>Arnette</td>
<td>Jackson, A.</td>
</tr>
<tr>
<td>Avant</td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Bel</td>
<td>Juneau</td>
</tr>
<tr>
<td>Bergeron</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Bishop</td>
<td>Lambert</td>
</tr>
<tr>
<td>Brown</td>
<td>Landrum</td>
</tr>
<tr>
<td>Burns</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td>Burson</td>
<td>LeBlue</td>
</tr>
<tr>
<td>Cannon</td>
<td>LeLage</td>
</tr>
<tr>
<td>Carmouche</td>
<td>Leithman</td>
</tr>
<tr>
<td>Casey</td>
<td>Lowe</td>
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<tr>
<td>Champagne</td>
<td>Mcdaniel</td>
</tr>
<tr>
<td>Chatelain</td>
<td>Marlin</td>
</tr>
<tr>
<td>Cherehdy</td>
<td>Mauberret</td>
</tr>
<tr>
<td>Comar</td>
<td>Maybuce</td>
</tr>
<tr>
<td>Conino</td>
<td>Miller</td>
</tr>
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<td>Mire</td>
</tr>
</tbody>
</table>
ROLL CALL

The roll was called with the following result:

YEAS

Abraham
Aeriker
Alario
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
Dennery
Derbes
Deshotels
Dunlap
Duval

Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NAYS

Kelly
Landrum
Landry, A.
Landry, E. J.
Linier
Leithman
Lowe
McDaniel
Martin
Maubozet
Maybuche
Miller

Nunez
O’Neill
Perez
Perkins
Planchard
Rachal
Reeves
Sandoz
Shannon
Slay
Stagg
Stovall

Sutherland
Ouio
Velazquez
Wall
Warren
Watts
Wills
Wissham
Zervigon

Votinig

Kelly
Landry, A.
Lanier
Newton
Perkins
Vesich

NOT VOTING

Kelly
Landry, A.
Lanier
Newton
Perkins

NOT VOTING

Kelly
Landry, A.
Lanier
Newton
Perkins


Delegate Rayburn moved to reconsider the vote by which
the amendments were adopted, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Dennery moved to reconsider the vote by which
the amendments were adopted, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Roy in the Chair

Delegate Derbes sent up a floor amendment, which was
read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Derbes to Committee
Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, at the beginning of line 11, delete "(H)", and
the word "Additional" and insert in lieu thereof the fol-
lowing: "(H) No additional"

AMENDMENT No. 2—

On page 7, at the end of line 11, after the word "taxa-
tion" add a period ".", and delete lines 12 and 13, both
inclusive, in their entirety.

Delegate Dennery moved the adoption of the amendment.
Delegate Jenkins objected.

A record vote was asked for and ordered by the Conven-
tion.

The roll was called with the following result:

YEAS

Abraham
Aeriker
Alario
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
Dennery
Derbes
Deshotels
Dunlap
Duval

Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NOT VOTING

Abraham
Aeriker
Alario
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
Dennery
Derbes
Deshotels
Dunlap
Duval

Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NOT VOTING

Abraham
Aeriker
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Anzalone
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Bel
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Bollinger
Burns
Burson

Carmouche
Casey
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Dunlap
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Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NOT VOTING

Abraham
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Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
Dennery
Derbes
Deshotels
Dunlap
Duval

Fontenot
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Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NOT VOTING

Abraham
Aeriker
Alario
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
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Deshotels
Dunlap
Duval

Fontenot
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Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NOT VOTING

Abraham
Aeriker
Alario
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
Dennery
Derbes
Deshotels
Dunlap
Duval

Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NOT VOTING

Abraham
Aeriker
Alario
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
Dennery
Derbes
Deshotels
Dunlap
Duval

Fontenot
Fulco
Gauthier
Giarrusso
Ginn
Goldman
Grier
Heine
Hernandez
Jack
Kean

NOT VOTING

Abraham
Aeriker
Alario
Anzalone
Arnette
Asseff
Bel
Bergeron
Bollinger
Burns
Burson

Carmouche
Casey
Chetelain
Chehardy
Conino
D’Gerolamo
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Hernandez
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Derbes

Derbes

Derbes

Derbes

Derbes
Motion

Delegate Anzalone moved the previous question on the amendment.
Delegate Rachal objected.

By a vote of 26 yeas and 69 nays the Convention refused to order the previous question at this time.
Delegate Derbes moved the adoption of the amendment.
Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aertker
Alaric
Bell
Bergeron
Blair
Brown
Burson
Casey
Chalein
Chicheary
Comar
Conîne
Conroy
D'Gerolamo
Dennery
Dennis
Derbes
Deshotels—

Flory
Gauthier
Garrusso
Goldman
Gravel
Guaisco
Hayes
Haynes
Jackson, A.
Jackson, J.
Kilpatrick
Landrum
Landry, E. J.
Leithman
Law
Mauberret
Maybuse
Miller—

Rachal
Roemer
Roy
Sandoz
Schmidt
Soniat
Stovall
Sutherland
Tobias
Toca
Velasquez
Vesich
Vick
Wall
Warren
Wisham
Zervigon

NAYS

Delegates—

Abraham
Anzalone
Assef
Avant
Badeaux
Bollinger
Brien
Burns
Cannon
Champagne
Corne
De Blieux
Dunlap
Duval
Elkins
Fayard
Fontenot
Fulco—

Graham
Grier
Hardee
Hernandez
Jack
Jenkins
Juneau
Kean
Landry, A.
Lanier
LeBlanc
Leigh
Martin
Mire
Newton
Nunez
O'Neill
Perez—

Perkins
Planchar
Rayburn
Reeves
Segura
Singletary
Smith
Stagg
Stephenson
Sinton
Thompson
Toorny
Ulo
Wills
Winchester
Womack

NOT VOTING

Delegates—

Mr. Chairman
Alexander
Arnette
Carmouche
Cowen
Drew—

Edwards
Fowler
Ginn
Heine
Kelly
Kilbourne—

Lambert
Lennox
McDaniel
Munson
Ousso
Pugh

And the amendment was rejected.
Delegate Jack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Abraham, the Convention altered the Order of Business to take up other Orders of Business at this time.

Committee Resolution

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following entitled Committee Resolution having been finally adopted by the Convention have been properly enrolled in final form:

COMMITTEE RESOLUTION No. 12—

Introduced by Delegate Zervignon, Chairperson of the Committee on Legislative Liaison and Transitional Measures, and Delegates Comar, D'Gerolamo, Drew, Fayard, Hardee, J. Jackson, Lambert, Lanier, LeBlanc, Munson, Rayburn, Smith, Thompson, Vick, and Womack:

A RESOLUTION

To extend the date by which certain reports shall be transmitted to the Committee on Legislative Liaison and Transitional Measures.

WHEREAS, Committee Resolution Number 11 of this Convention recognizes the need for providing certain information to the Committee on Legislative Liaison and Transitional Measures in order that proper plans may be made to effectuate the transition from the Constitution of 1921 to the new Constitution; and

WHEREAS, it has become evident that the date by which status reports from each substantive committee to the Committee on Legislative Liaison and Transitional Measures should be extended.

THEREFORE, BE IT RESOLVED that each of the eight substantive committees of the Constitutional Convention of 1973 shall divide the material within its jurisdiction into the categories set forth in Committee Resolution Number 11 and shall submit the written report therein required to the Convention within ten days after first enrollment of each committee and delegate proposal or by November 15, 1973, whichever is the later date.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted without delay to the chairman of each of the eight substantive committees of this Convention.

Respectfully submitted,

MOISE W. DENNERY,
Secretary.

The Resolutions contained in the report were signed by the Chairman of the Convention and attested by the Secretary in accordance with the Rules.

COMMITTEE NOTICE

Delegate Lanier, chairman of the Sub-Committee on Transitional Measures of the Committee on Local and Parochial Government, sent up the following notice:

The Sub-Committee on Transitional Measures of the Committee on Local & Parochial Government will meet on Friday, November 2, 1973, immediately after adjournment in
AGENDA

To consider the report of the sub-committee on Transitional Measures.

Respectfully submitted,

JAMES L. DENNIS,
Chairman of the Committee on Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Fowler—1 day.
Delegate Weiss—1 day.
Delegate Munson—October 31 through November 10.
Delegate Lennox—1 day.
Delegate Riecke—4 days.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, November 1, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Vice Chairman Roy declared the Convention adjourned to Thursday, November 1, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

AGENDA

Complete consideration of transitional matters in Local Government.

Respectfully submitted,

WALTER LANIER,
Chairman of the Sub-Committee on Transitional Measures of the Committee on Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Dennis the rules were suspended in order to call a meeting of the Committee on Judiciary without giving the required 24 hours notice.

COMMITTEE NOTICE

Judge Dennis, chairman of the Committee on Judiciary, sent up the following notice:

The Committee on Judiciary, will meet on Thursday, November 1, 1973, during the Noon recess in Convention Hall and will consider the following agenda:

Delegate Abraham—1 day.
Delegate Weiss—1 day.
Delegate Munson—October 31 through November 10.
Delegate Lennox—1 day.
Delegate Riecke—4 days.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, November 1, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Vice Chairman Roy declared the Convention adjourned to Thursday, November 1, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Stovall.

Pledge of Allegiance

Delegate Anzalone led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Miller, the reading of the Journal was dispensed with.

On motion of Delegate Miller, the Journal of yesterday was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubernet, Mire, Nunez, Planchar, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

Section 3. Homestead Exemption; Other Property Exemptions

Section 3. The following property shall be exempt from ad valorem taxation: (A) Homesteads. From state, parish, and special taxes, the homestead, bona fide, consisting of a tract of land, or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract or tracts, not exceeding one hundred and sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, in the full amount of five thousand dollars of the assessed valuation. However, veterans and persons sixty-five years or older shall be provided with a homestead exemption of six thousand dollars of the assessed valuation. No exemption shall extend to any municipal or city taxes except the following: (1) in Orleans Parish this exemption shall apply to the state, the general city, school boards, and levee districts (2) to any municipal or city taxes levied for school purposes. The exemption of homestead shall extend to the surviving spouse or minor child or children of a deceased owner and to the bona fide homestead when occupied as such and title thereto is in either husband or wife, provided that this exemption shall not be extended to more than one homestead owned by the husband or wife.

(B) All public property.

(C) Places of religious worship; property owned by religious denominations and used as residences for clergy or religious; places of burial, and property held by any religious denomination or nonprofit corporation or organization for burial purposes, but the exemption shall not apply to unmarked lots, crypts, or places for burial nor shall it apply to lands held for development as places for burial, when so held for profit; universities, schools and colleges; places devoted to charitable undertakings; hospitals; nursing homes, homes for the aged, convalescent and rehabilitation facilities, institutions for treatment, rehabilitation and care of the physically and mentally handicapped or retarded, orphanages, child and/or day care centers, which are organized as non-profit corporations under the Louisiana Non-profit Corporations Law or which are exempt from federal and state income taxation law which are licensed or regulated by the state of Louisiana; organizations such as lodges and clubs organized for charitable and fraternal purposes and practicing the same; but exemption shall extend only to property, and
grounds thereunto appurtenant, used for the above mentioned purposes, and not leased for profit or income.

(D) Cash on hand or deposit; stocks and bonds, except bank-owned property shall be established and invested as provided by law, and the tax paid by the banking intitution; obligations secured by mortgage on property located in Louisiana and the notes or other evidence thereof; loans by or to insurance companies; policies held; and certificates or stock held therefor; securities, valued solely by their face amount; debentures due for commerce or other and property held for commerce or for services rendered; obligations of the state or its political subdivisions; all personal property used in the home or in loan in a public place; agricultural products while owned by the producers, agricultural machinery and other implements used exclusively for agricultural purposes, and all animals on the farm, and property belonging to agricultural fair associations; all property used for cultural, mardi-gras carnival or civic activities and not operated for profit to the owners; all oceangoing vessels engaged in international trade and domiciled in Louisiana prior to December 31, 1972 and not subject to, or the exemption therefrom, any levy, whether levied by the governing authority of any municipality, or district created by any such municipality, unless the governing authority thereof shall provide for such exemption by ordinance or resolution.

(F) The State Board of Commerce and Industry, with the approval of the governor, and the local governing authority may enter into contracts for the exemption of any new manufacturing establishment or an addition or additions to any manufacturing establishment already existing in the state upon such terms and conditions as the board, with the approval of the governor, and the local governing authority, may deem to be in the best interest of the state. The terms as “manufacturing establishment” and “addition” or “additions” as used in this Paragraph mean a new plant or establishment; or an addition or additions to any existing plant or establishment, which engages in the business of working materials into wares suitable for use or which gives new shapes, new qualities, or new combinations to matter which already has gone through some artificial process. No exemption shall be contracted for any new manufacturing establishment in any locality where there is a manufacturing establishment actually engaged in the manufacture of the same or closely competitive articles without the written consent of the owner of such existing manufacturing establishment to be attached to and identified with the contract of exemption. No exemption from tax shall be granted under the authority of this Paragraph for a longer initial period than five calendar years from the date of the execution of the contract of exemption or five calendar years from the date of the completion of the construction as described in the contract. The exemption, the commencement of the exemption upon either of such dates to be specified in the contract at the discretion of the State Board of Commerce and Industry and subject to approval by the governor. Upon application with the tax assessor before the expiration of the initial period of five years, and upon proper showing of a full compliance with the contract of exemption by the contractor, any exemption granted under the authority of this subsection shall be renewed for an additional period of five calendar years. Any such exemption shall lapse upon violation of the terms and conditions of the contract which granted the same. All property exempted, in accordance with the provisions of the paragraph shall be listed and reported annually to the Louisiana Tax Commission, but no taxes shall be collected thereon during the period of exemption.

(G) (1) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States:

(a) So long as such imports remain upon the public property of the port authority or docks of any common carrier where such imports first entered this state; or

(b) So long as any such imports (other than minerals and ores of the same kind as any mined or produced in this state and manufactured articles) are held in this state in the original form in bales, sacks, barrels, boxes, cartons, containers, or original packages, and raw materials held in bulk as all or a part of the new material inventory of manufacturers or processors, solely for manufacturing or processing; or

(c) So long as any such imports are held by an importer in any public or private storage in the original form in bales, barrels, boxes, cartons, containers, or other original packages and agricultural products in bulk. This shall not apply to a retail merchant holding such imports as part of his stock-in-trade for sale at retail.

(2) All raw materials, goods, commodities, and other articles being held upon the public property of a port authority or docks of any common carrier or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the continental United States.

(3) All goods, commodities, and personal property in public or private storage while in transit through this state which is (a) moving in interstate commerce through or over the territory of the State of Louisiana; or (b) which is in public or private storage within the State of Louisiana having been shipped thereto from outside of the State of Louisiana for transit through or over the territory of the State of Louisiana, whether such destination was specified when transportation begins or afterward.

All such property described in this Paragraph (G) whether entitled to exemption or not shall be reported to the proper taxing authority on the forms required by law.

(H) Additional property may be exempted from taxation if authorized by a two-thirds vote of the elected membership of each house of the legislature.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 26, Section 2, when it adjourned on Wednesday, October 31, 1973, which was taken up and acted upon as follows:

Delegate Abraham sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT NO. 1

On page 3, in Floor Amendment No. 1 proposed by Delegate Rayburn, et al. and adopted by the convention on October 31, 1973, in line 16 of said floor amendment, change the semicolon ";" after the word "purposes;" to a period "." and delete the word "except" and delete lines 17, 18, and 19 in their entirety and insert in lieu thereof the following:

"However, the exemptions granted by this Paragraph shall not apply to any property owned, operated, leased, held for purposes of commerce and its subsidiary or association described herein or to any such corporation or association if any part of the net earnings thereof inure to the benefit of any private shareholder or member thereof."

On motion of Delegate Abraham the amendment was withdrawn.

Delegate Jenkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT NO. 1

On page 4, strike out lines 28 through 32 in their en-
tirety, on page 5, strike out lines 1 through 32 in their entirety including all Floor Amendments thereto, and on page 6, strike out lines 1 through 5 in their entirety, and insert in lieu thereof the following:

"(F) Notwithstanding any provision of this Section to the contrary, the legislature may authorize the State Board of Commerce and Industry, under such conditions and terms and with such approval as the legislature may specify, to provide for the exemption from property taxation of any new manufacturing establishment or an addition or additions to any manufacturing establishment already existing in the state.

No exemption granted under the authority of such laws as may be enacted pursuant to this Section shall extend for a longer initial period than five calendar years, or be renewable for an additional period in excess of five additional calendar years."

Delegate Jenkins moved the adoption of the amendment.
Delegate Arnette objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tr>
<td>Mr. Chairman</td>
<td>Hardee</td>
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<td>Abraham</td>
<td>Hayes</td>
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<td>Acritker</td>
<td>Hernandez</td>
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<td>Aseff</td>
<td>Jack</td>
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<td>Avant</td>
<td>Jackson, A.</td>
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<td>Bel</td>
<td>Jackson, J.</td>
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<td>Brien</td>
<td>Jenkins</td>
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<td>Burns</td>
<td>Casey</td>
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<td>Burns</td>
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<td>Conroy</td>
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<td>Dennis</td>
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<td>Elkins</td>
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<td>Fulco</td>
<td>Goldman</td>
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<tr>
<td>Goldman</td>
<td>Graham</td>
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<tr>
<td>Graham</td>
<td>Gravel</td>
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<tr>
<td>Total—67.</td>
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**NAYS**

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<th>Delegates</th>
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<td>Alario</td>
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<td>Anzalone</td>
<td>Deshotels</td>
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<td>Arnette</td>
<td>Gauthier</td>
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<td>Badeaux</td>
<td>Giarrusso</td>
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<td>Bergeron</td>
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<td>Blair</td>
<td>Heine</td>
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<td>Bollinger</td>
<td>Kilbourne</td>
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<td>Burson</td>
<td>Landry, A.</td>
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<td>Cannon</td>
<td>LeBlieu</td>
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<td>Carmouche</td>
<td>Chatelain</td>
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<td>Chehardy</td>
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<td>Comar</td>
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<td>Conino</td>
<td>D'Gerolamo</td>
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<td>Total—43.</td>
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**NOT VOTING**

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<th>Delegates</th>
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<tbody>
<tr>
<td>Alexander</td>
<td>Edwards</td>
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<td>Brown</td>
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<td>Dennery</td>
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<td>Riecke</td>
<td>Tapper</td>
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<td>Total—67.</td>
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And the amendment was adopted.
Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.
Delegate A. Landry sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate A. Landry to Committee Proposal No. 26 by Delegate Rayburn, et al.
Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 4, line 28, in Floor Amendment No. 1, proposed by Delegate Jenkins, and adopted by the Convention on November 1, 1973, on line 7 of the text of the amendment immediately after the word and punctuation "state." add the following:

"These exemptions shall apply to not more than seventy percent of any tax levied by a political subdivision wherein the manufacturing establishment is located."

Delegate A. Landry moved the adoption of the amendment.
Delegate Jenkins objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

**YEAS**

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<th>Delegates</th>
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<td>Alario</td>
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<td>Badeaux</td>
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<td>Blair</td>
<td>Landry, A.</td>
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<td>Bollinger</td>
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<td>Burson</td>
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<td>Cowen</td>
<td>D'Gerolamo</td>
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<td>Total—41.</td>
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**NAYS**

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<td>Abraham</td>
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<td>Fulco</td>
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<td>Total—43.</td>
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**NOT VOTING**

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<th>Delegates</th>
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<tr>
<td>Alexander</td>
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<td>Brown</td>
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<td>Drew</td>
<td>Fowler</td>
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<td>Total—67.</td>
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707
Delegate Derbes sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Derbes, J. Jackson, Rachal, Tobias, Miller, Velazquez and Maybuce to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3 in Floor Amendment No. 1 proposed by Delegate Rayburn, et al. and adopted by the convention on October 31, 1973, after the language added by the Rayburn amendment, add the following paragraph:

"The exemptions provided in Paragraph (C) and those provided in Paragraph (D) that apply only to property used for cultural, Mardi Gras carnival or civic activities shall not extend to any property if access thereto is denied on the basis of race."

Delegate Derbes moved the adoption of the amendment.
Delegate Fulco objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Aerther
Alario
André
Asseff
Avant
Bel
Blair
Brown
Burns
Burson
Carmouche
Chehardy
Comar
Conroy
D’Geronimo
De Blicc

Total—46.

**NAYS**

Delegates—

Abraham
Anzalone
Badeaux
Bergeron
Bollinger
Brien
Cannon
Casey
Champagne
Chatelain
Coniro
Corne
Cowen
Deshotels
Dunlap
Duval
Elkins
Fontenot
Fulco
Goldman
Grier

Total—63.

**NOT VOTING**

Delegates—

Mr. Chairman
Alexander
Drew
Edwards
Fayard
Fowler
Gauthier
Ginn

Total—23.

And the amendment was rejected.
Delegate Fulco moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Dennery to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, in Amendment No. 1 proposed by Delegate Mire and adopted by the Convention on October 24, 1973, delete the last line of said amendment, as it has been amended, and which reads: “(A) All public property used for public purposes.” and insert in lieu thereof the following:

“(A) All public lands; all other public property used for public purposes.”

Delegate Dennery moved the adoption of the amendment,

Delegate Chatelain objected.

By a vote of 96 yeas and 12 nays the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 26, Section 3, was read, as amended.

Delegate Planchard moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
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<th>Delegates—</th>
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<td>Mr. Chairman</td>
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<td>Fontenot</td>
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<td>Total—96.</td>
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</table>

| Delegates— |   |
| Anzalone    |   |
| Arnette     |   |
| Bollinger   |   |
| De Bleux    |   |
| Vieg        |   |
| Viola       |   |
| Wexler      |   |
| Zervigon    |   |

**NOT VOTING**

| Delegates— |   |
| Alexander   |   |
| Drew        |   |
| Edwards     |   |
| Fayard      |   |
| Fowler      |   |
| Guarrisco   |   |
| Total—17.   |   |

And the Chair declared that the above Section was finally passed.

Delegate Rayburn moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Zervigon the Convention took up Committee Proposal No. 26, Section 5, out of its regular order at this time.

**Section 5. Adjustment of Ad Valorem Tax Millages**

Section 5. The amount of taxes collected by any taxing authority in the state shall not be increased or decreased because of the method of assessing property at a uniform ratio of assessment to value as provided in Article XI, Section 1, and it shall be the mandatory duty of all taxing authorities to adjust millages proportionate to changes in assessment values so as to produce the same total dollar amount of revenue. Such millage adjustments shall be made without regard to limitations contained elsewhere in this constitution. Nothing provided herein shall be construed to prohibit any taxing authority from collecting a larger dollar amount of ad valorem taxes by means of the following: (a) by levying additional millages as provided by law; (b) by placing additional property on the tax rolls; or (c) by reason of increased property values due to economic conditions. Nothing contained herein shall be construed to diminish the security of outstanding bonds.

Read.

Delegate Perez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Perez, Mire, Chenrow, and Chehardy to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 22 through 32, both inclusive, in their entirety and on page 8, delete lines 1 through 6, both inclusive, in their entirety, and all amendments thereto and insert in lieu thereof the following:

“Section 5. Prior to the end of the year after the effective date of the constitution, the assessors shall have determined the fair market value or use value of all property subject to taxation within their respective parishes to be used for the purpose of implementing the provisions of this Article. Except as hereinafter provided in this Paragraph, the total amount of ad valorem taxes collected by any taxing authority in the year in which the provisions of this Article are implemented shall not be increased or decreased because of the provisions of this Article above or below ad valorem taxes collected by such taxing authority in the year immediately preceding the year in which the provisions of this Article are implemented. To accomplish this result, it shall be the mandatory duty of each affected taxing authority in the year in which the provisions of this Article are implemented to first determine the increase or decrease in the tax roll of the taxing authority, and then to determine a uniform ratio of assessment to value as provided in Article XI, Section 1, and it shall be the mandatory duty of all taxing authorities to adjust millages proportionate to changes in assessment values so as to produce the same total dollar amount of revenue. Such millage adjustments shall be made without regard to limitations contained elsewhere in this constitution. Nothing provided herein shall be construed to prohibit any taxing authority from collecting a larger dollar amount of ad valorem taxes by means of the following: (a) by levying additional millages as provided by law; (b) by placing additional property on the tax rolls; or (c) by reason of increased property values due to economic conditions. Nothing contained herein shall be construed to diminish the security of outstanding bonds.”
in which the provisions of this Article are implemented or in any subsequent year, a larger dollar amount of ad valorem taxes by means of the following: (a) by levying additional or increased millages as provided by law; (b) by placing additional property on the tax rolls; or (c) by reason of increases in the fair market value or use value of property after the first determination of such value on the basis of which the provisions of this Article are to be implemented."

**Motion**

Delegate Burson moved for a suspension of the rules in order to allow Delegate Conroy an additional three minutes in which to answer questions.

Delegate Shannon objected.

By a vote of 82 yeas and 9 nays the rules were suspended.

Delegate Conroy moved the adoption of the amendment.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
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<td>Abraham</td>
<td>Goldman</td>
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<td>Alario</td>
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<td>Arnette</td>
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<td>Landry, E. J.</td>
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**NAYS**

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<tr>
<td>De Blieux</td>
<td>Shannon</td>
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<td>Flory</td>
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<td>Hayes</td>
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<td>Perez</td>
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<td>Planchard</td>
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<td>Total—8.</td>
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**NOT VOTING**

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<th>Delegates</th>
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<tr>
<td>Beil</td>
<td>Fowler</td>
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<tr>
<td>Drew</td>
<td>Guarisco</td>
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<tr>
<td>Fayard</td>
<td>Juneau</td>
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</tbody>
</table>

And the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Perez, Kean, and O'Neil to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 7, of Floor Amendment No. 1 proposed by Delegates Perez, et al., and adopted by the Convention on November 1, 1973, at the end of line 18, delete the words "Article VI" and at the beginning of line 19, delete the word "of."**

**AMENDMENT No. 2**

At the beginning of line 27, delete the word "law" and insert in lieu thereof the words "this constitution."**

On motion of Delegate Perez the amendment was withdrawn.

Delegate Perez sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Perez, Kean, and O'Neil to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 7, of Floor Amendment No. 1 proposed by Delegates Perez, et al., and adopted by the Convention on November 1, 1973, on line 19, of the text of the amendment immediately after the word "constitution" and before the word "Such" change the period "." to a semicolon ":" and add the following: "however, whenever at the time the adjustment is made the millage actually levied by a taxing authority is less than or equal to the maximum authorized to be levied, the maximum millage so authorized shall be increased or decreased, without further voter approval, in proportion to the amount of the adjustment upward or downward."**

Delegate Roemer moved the adoption of the amendment.

Delegate Conroy objected.
By a vote of 96 yeas and 12 nays the amendment was adopted.

Delegate Roemer moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Dennery to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, line 22, in Floor Amendment No. 1 proposed by Delegates Perez, et al. and adopted by the Convention on November 1, 1973, at the end of line 2, after the word “assessors” add the words “and the Louisiana Tax Commission” and on line 4, after the word “within” and before the word “respective” delete the word “their” and insert in lieu thereof the word “the”.

On motion of Delegate Dennery the amendment was adopted.

Delegate Dennery moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Perez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, line 22, in Floor Amendment No. 1 proposed by Delegate Perez, and adopted by the Convention on November 1, 1973, after the language added by said amendment, add the following:

“The provisions of this Section shall not apply to millages required to be levied for the payment of general obligation bonds.”

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 26 Section 5 was read, as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Hayes  
Haynes  
Heine  
Hernandez  
Jackson, A.  
Jackson, J.  
Jenkins  
Juneau  
Kean  
Kelly  
Kim Subscribe  
Lambert  
Landrum  
Landry, A.  
Landry, E. J.  
Leger  
LeBlanc  
Leigh  
Leithman  
Lennox  
Lowe  
McDaniel  

Total—114.

NAYS

Delegate Asseff.

Total—1.

NOT VOTING

Delegates—

Aertker  
Alexand  
Avant  
Bel  
Drew  
Fowler  

Total—17.

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 6. Revenue Sharing Fund

Section 6. There is hereby established and created a special fund in the State Treasury to be known as the Revenue Sharing Fund. The fund shall be composed of moneys which shall be transferred to it annually out of the state general fund by the state treasurer in the amount of eighty million dollars. This provision shall be self-operative. The legislature may allocate additional sums to the Revenue Sharing Fund and shall provide for distribution of the moneys in the fund to those local governing bodies, municipalities, police jurys, boards, commissions, districts, and other agencies as may be designated by it.

Read.

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT


Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 7 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 6. Revenue Sharing Fund; Distribution; Pledge of Proceeds.

Section 6. (A) A special fund is created in the state treasury to be known as the Revenue Sharing Fund.

(B) There hereby is allocated annually from the State General Fund to the Revenue Sharing Fund whichever is greater of the following: (1) a sum equal to forty-five percent of the total state income tax collections for the preceding fiscal year or (2) the sum of ninety million dollars. The legislature may appropriate additional sums to the Revenue Sharing Fund.”
(C) The Revenue Sharing Fund shall be distributed annually to each parish according to the following formula: the sum total of (1) an amount equal to that percentage of eighty percent of the total fund equal to the ratio which the population of the parish bears to the total state population and (2) an amount equal to that percentage of twenty percent of the total fund equal to the ratio which the number of homesteads in the parish bears to the total number of homesteads in the state. Unless the legislature provides otherwise, population statistics of the last federal decennial census shall be utilized in this formula.

(D) The funds distributed to each parish as provided in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of the city of New Orleans and in all other parishes by the parish tax collector. After deductions for retirement systems and commissions as authorized by law, the remaining funds, to the extent available, by first priority shall be distributed to the tax recipient bodies, as defined by law, within the parish to offset current losses because of homestead exemptions granted in this Article. Any balance thereafter remaining in any parish distribution shall be allocated within each parish in accordance with law.

(E) Any political subdivision, as defined by Article VI of this constitution, may incur debt by the issuance of negotiable bonds, and may pledge, for the payment of all or part of the principal and interest of such bonds, the proceeds derived or to be derived from the Revenue Sharing Fund as provided in Paragraph (D) of this Section. These bonds shall be issued and sold as provided by law. The full faith and credit of the state hereby is pledged to the payment of the principal and interest on bonds authorized and issued under this Section only if there has been approval by the State Bond Commission of the issuance and sale of such bonds."

Motion

Delegate Jenkins moved that the rules be suspended in order to allow Delegate Gravel ten additional minutes in order to answer questions from the floor of the Convention.

Delegate Thompson objected.

By a vote of 83 yeas and 6 nays the rules were suspended.

Motion

Delegate Velazquez moved for a suspension of the rules in order to allow Delegate Chehardy to answer questions from the floor of the Convention.

Delegate Shannon objected.

By a vote of 73 yeas and 12 nays the rules were suspended.

Motion

Delegate Thompson moved the previous question on the amendment.

Delegate De Blieux objected.

By a vote of 25 yeas and 71 nays the Convention refused to suspend the rules.

Motion

Delegate Stovall moved that the Convention take up other Orders of Business at this time.

Delegate Nunez objected.

By a vote of 71 yeas and 39 nays and the Convention took up other Orders of Business.

Leave of Absence

Delegate Guarisco—1/2 day.
Delegate Fowler—1 day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Friday, November 2, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, November 2, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman Gauthier Perez
Abraham Perkins
Aerker Ginn Pianchard
Alario Goldman Rachel
Anzalone Gravel Reeves
Arnette Grier Roemer
Azuffe Guarisco Roy
Avant Hardee Sandoz
Badeaux Hayes Schmitt
Bergeron Haynes Segura
Blaire Heine Shannon
Bollinger Hernandez Singletery
Brown Jack Slay
Burns Jackson, A. Smith
Busson Jackson, J. Soniat
Cannon Jenkins Stagg
Carmouche Juneau Stephenson
Casey Kean Stinson
Champagne Kelly Stovall
Chatelain Kilbourne Sutherland
Chehardy Kilpatrick Taper
Comar Lambert Tate
Conin Landrum Thompson
Conroy Landry, A. Tobias
Corne Landry, E. J. Toca
Cowen Lanier Toomey
D'Geromolo Leigh Ullo
De Blieux Leithman Velazquez
Denney Lowe Vepich
Dennis McDaniel Vick
Deres Martin Wall
Deshotels Maubernet Warren
Duval Maybuce Wattigny
Edwards Miller Weiss
Elkins Mire Willis
Fayard Newton Winchester
Flory Nunez Wisham
Fontenot O'Neill Womack
Fowler Ourso Zervigon
Fulce

Total—121.

ABSENT

Delegates—
Alexander LeBlieu Riecke
Bel Lennox Robinson
Drew Munson Thistlethwaite
Dunlap Pugh

Total—11.

The Chairman announced that there were 121 members present and a quorum.

Prayer

Prayer was offered by Delegate Asseff.

Pledge of Allegiance

Delegate Planchat led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Dennis, the reading of the Journal was dispensed with.

On motion of Delegate Dennis, the Journal of yesterday was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Cheduardy, Edwards, Goldman, Maubernet, Mire, Nunez, Pianchard, Slay and Winchester:

A PROPOSAL.

Making provisions for property taxation.

Read.

Section 6. Revenue Sharing Fund

Section 6. There is hereby established and created a special fund in the State Treasury to be known as the Revenue Sharing Fund. The fund shall be composed of moneys which shall be transferred to it annually out of the state general fund by the state treasurer in the amount of eighty million dollars. This provision shall be self-operative. The legislature may allocate additional sums to the Revenue Sharing Fund and shall provide for distribution of the moneys in the fund to those local governing bodies, municipalities, police juries, boards, commissions, districts, and other agencies as may be designated by it.

The Chairman announced that the Convention had under consideration the following amendment proposed by Delegate Gravel, et al. to Committee Proposal No. 26, Section 6, when it adjourned on Thursday, November 1, 1973, which was taken up and acted upon as follows:

Delegate Gravel sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT


Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, delete lines 7 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

'Section 6. Revenue Sharing Fund; Distribution; Pledge of Proceeds

Section 6. (A) A special fund is created in the state treasury to be known as the Revenue Sharing Fund.

(B) There hereby is allocated annually from the State General Fund to the Revenue Sharing Fund whichever is greater of the following: (1) a sum equal to forty-five per-
cent of the total state income tax collections for the preceding fiscal year or (2) the sum of ninety million dollars. The legislature may appropriate additional sums to the Revenue Sharing Fund.

(C) The Revenue Sharing Fund shall be distributed annually to each parish according to the following formula: the sum total of (1) an amount equal to that percentage of eighty percent of the total fund equal to the ratio which the population of the parish bears to the total state population and (2) an amount equal to that percentage of twenty percent of the total fund equal to the ratio which the number of homesteads in the parish bears to the total number of homesteads in the state. Unless the legislature provides otherwise, population statistics of the last federal decennial census shall be utilized in this formula.

(D) The funds distributed to each parish as provided in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of the city of New Orleans and in all other parishes by the parish tax collector. After deductions for retirement systems and commissions as authorized by law, the remaining funds, to the extent available, by first priority shall be distributed to the tax recipient bodies, as defined by law, within the parish to offset current losses because of homestead exemptions granted in this Article. Any balance thereafter remaining in any parish distribution shall be allocated within each parish in accordance with law.

(E) Any political subdivision, as defined by Article VI of this constitution, may incur debt by the issuance of negotiable bonds, and may pledge, for the payment of all or part of the principal and interest of such bonds, the proceeds derived or to be derived from the Revenue Sharing Fund as provided in Paragraph (D) of this Section. These bonds shall be issued and sold as provided by law. The full faith and credit of the state hereby is pledged to the payment of the principal and interest on bonds authorized and issued under this Section only if there has been approval by the State Bond Commission of the issuance and sale of such bonds."

Delegate Gravel moved the adoption of the amendment.

Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman

Acker

Anzalone

Avant

Bergeron

Brien

Burson

Cannon

Carmouche

Casey

Chehardy

Comer

Conino

Cornel

Cowen

D'Geralamo

Dennery

Derbes

Edwards

Elkins

Flory

Fulco

Giarrusso

Total—49.

NAYS

Delegates—

Abraham

Deshots

Duval

Funenot

Gauthier

Goldman

Grier

Guarisco

Hartley

Heine

Jack

Juneau

Total—22.

NOT VOTING

Delegates—

Alexander

Bel

Conroy

Drew

Duncan

Fayard

Total—16.

And the amendment was adopted.

Delegate Gravel moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Zervigon sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Zervigon to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, line 7, in Floor Amendment No. 1 proposed by Delegate Gravel, et al, and adopted by the Convention on November 2, 1973, on line 27 of the text of the amendment at the end of the line after the word "deductions" add the following: "{, in each parish."

On motion of Delegate Zervigon the amendment was adopted.

Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Dennis sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Dennis, Goldman, Leigh and Wall to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, line 7, in Floor Amendment No. 1 proposed by Delegates Gravel, et al, and adopted by the Convention on November 2, 1973, on line 27, immediately after the word and punctuation "collector." and before the word "After" insert the following:

"That portion of the fund for the parish of Ouachita to be allocated to the Monroe City School Board shall be distributed directly to the city treasurer of the city of Monroe."

Delegate Dennis moved the adoption of the amendment.

Delegate Anzalone objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario

Arnette

Asseff

Baden

Blair

Bollinger

Brown

Beneau

Champagne

Chatelain

De Bieaux

Shannon

Singletary

Smith

Stagg

Stephenson

Stinson

Tapper

Thompson

Wall

Weiss

Womack

Roll 714
Delegate to the Constitutional Convention of 1973 (representing education), Vice Horace C. Robinson, resigned.

Yours very truly,

EDWIN EDWARDS
Governor of Louisiana

OATH OF OFFICE

James W. Morris appeared before the bar of the Convention and took the following oath of office administered by Honorable David R. Poynter, Clerk of the House of Representatives and Chief Clerk of the Constitutional Convention:

"I hereby solemnly swear that I will support the Constitution and laws of the United States; that I will well and faithfully perform all duties as a member of the convention, and that I will observe and obey the limitations of authority contained in the Act under which this convention has assembled. So help me God."

... *

"I (James W. Morris) do solemnly swear that I will support the Constitution and laws of the United States and the Constitution and laws of this State; and I will faithfully and impartially discharge and perform all the duties incumbent upon me as a delegate to the Constitutional Convention, according to the best of my ability and understanding. So help me God."

Unfinished Business, Resumed

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberret, Mire, Nunez, Planeard, Slay, and Winchester;

A PROPOSAL
Making provisions for property taxation.

Read.

Section 6. Revenue Sharing Fund

Section 6. There is hereby established and created a special fund in the State Treasury to be known as the Revenue Sharing Fund. The fund shall be composed of moneys which shall be transferred to it annually out of the state general fund by the state treasurer in the amount of eighty million dollars. This provision shall be self-operating. The legislature may allocate additional sums to the Revenue Sharing Fund and shall provide for distribution of the moneys in the fund to those local governing bodies, municipalities, police jurisdictions, boards, commissions, districts, and other agencies as may be designated by it.

Delegate Womack sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Womack to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, in Floor Amendment No. 1 proposed by Delegates Gravel, et al. and adopted by the Convention on November 2, 1973, delete lines 5 through 11 of said amendment in their entirety and insert in lieu thereof the following:

"(B) There hereby is allocated annually from the State General Fund to the Revenue Sharing Fund the sum of ninety million dollars. The legislature may appropriate additional sums to the Revenue Sharing Fund."

Delegate Womack moved the adoption of the amendment.

Delegate Burson objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario      Grier
Arnette    Guarnow
Asseff     Hardee
Badeaux    Heine
Blair      Jack
Bollinger  Jackson, J.
Brown      Jenkins
Burns      Juneau
Champagne  Kea
Chatelain  Kelly
De Blieux   Kilbourne
Dennis     Kilpatrick
Deshotels  Lambert
Duval      Landry, A.
Eikins      Lanier
Fontenot   Lea
Foxx       Leib
Fowler     McDaniel
Fulco      Mauberret
Gauthier   Miller
Ginn        Nunez
Goldman    O'Neill
Graham      Perez

Total—66.

NAYS

Delegates—
Anzalone    Derbes
Avant       Edwards
Bergeron    Edwards
Brien       Edwards
Burns       Giarrusso
Cannon      Gravel
Carmouche  Haynes
Casey       Haynes
Chehardy    Hernandez
Comar       Jackson, A.
Conino      Landrum
Corine      Landry, E. J.
Cowen       Leithman
D'Gerolamo  Lowe
Denner      Martin

Total—45.

NOT VOTING

Delegates—
Mr. Chairman  Dunlap
Abraham      Fayard
Aerter      LeBlu
Alexander   LeBlu
Bel         LeBlu
Conroy      Maybuck
Drew        Munson

Total—21.

And the amendment was adopted.

Delegate Womack moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Nunez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Nunez and Biehler to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 8, in Floor Amendment No. 1 proposed by Delegates Gravel, et al. and adopted by the Convention on November 2, 1973, delete lines 12 through 45 of the text of the amendment, both inclusive, in their entirety.

Delegate Nunez moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham    Fayard
Alario      Fontenot
Arnette    Fowler
Asseff     Goldberg
Badeaux    Guarisco
Blair      Heine
Bollinger  Jenkins
Chatelain  Junieau
Conino     Kelly
De Blieux   Kilbourne
Dennis     Kilpatrick
Duval      Landry, A.

Total—41.

NAYS

Delegates—
Aerter      Ginn
Anzalone    Graham
Avant       Gravel
Bergeron    Grier
Brien       Hardee
Brown       Hayes
Burns       Haynes
Burson      Hernandez
Carmouche  Jackson, A.
Casey       Landrum
Champagne  Landry, E. J.
Comar       McDaniel
Conroy      Martin
Corine      Mauberret
Conino      Maybuck
Corine      Mire
Cowen       Morris
D'Gerolamo  Newton
Denner      O'Neill

Total—67.

NOT VOTING

Delegates—
Mr. Chairman  Keen
Alexander   Keen
Bel         Keen
Cannon     Keen
Cowen       Keen
Drew        Keen
Dunlap      Keen
Jack        Keen

Total—24.

And the amendment was rejected.

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Thompson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Thompson, Kelly, Reeves and Alario to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 8, in Floor Amendment No. 1 proposed by Delegates Gravel, et al. and adopted by the Convention on November 2, 1973, delete lines 12 through 45 of the text of the amendment, both inclusive, in their entirety.

Delegate Nunez moved the adoption of the amendment.

Delegate Burson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham    Fayard
Alario      Fontenot
Arnette    Fowler
Asseff     Goldberg
Badeaux    Guarisco
Blair      Heine
Bollinger  Jenkins
Chatelain  Junieau
Conino     Kelly
De Blieux   Kilbourne
Dennis     Kilpatrick
Duval      Landry, A.

Total—41.

NAYS

Delegates—
Aerter      Ginn
Anzalone    Graham
Avant       Gravel
Bergeron    Grier
Brien       Hardee
Brown       Hayes
Burns       Haynes
Burson      Hernandez
Carmouche  Jackson, A.
Casey       Landrum
Champagne  Landry, E. J.
Comar       McDaniel
Conroy      Martin
Corine      Mauberret
Conino      Maybuck
Corine      Mire
Cowen       Morris
D'Gerolamo  Newton
Denner      O'Neill

Total—67.

NOT VOTING

Delegates—
Mr. Chairman  Keen
Alexander   Keen
Bel         Keen
Cannon     Keen
Cowen       Keen
Drew        Keen
Dunlap      Keen
Jack        Keen

Total—24.

And the amendment was rejected.

Delegate Burson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Thompson sent up a floor amendment, which was read as follows:
Delegate Thompson moved the adoption of the amendment.

Delegate Newton objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Nunez</th>
<th>O'Neill</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fulco</td>
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<td>Perez</td>
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<tr>
<td>Carmouche</td>
<td>Heine</td>
<td>Slay</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Jenkins</td>
<td>Stinson</td>
</tr>
<tr>
<td>Conino</td>
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<td>Tapper</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Kilpatrick</td>
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</tr>
<tr>
<td>Deshotels</td>
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</tr>
<tr>
<td>Edwards</td>
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<td>Fowler</td>
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<td>Womack</td>
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Total—57.

NAYS

<table>
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<tr>
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<tbody>
<tr>
<td>Giarusso</td>
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<td>Bergeron</td>
<td>Jack</td>
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<td>Brien</td>
<td>Jackson, A.</td>
<td>Stagg</td>
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<tr>
<td>Cannon</td>
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<td>Casey</td>
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<td>Tobias</td>
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<td>Champagne</td>
<td>Kilbourne</td>
<td>Vesich</td>
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<tr>
<td>Chalaisin</td>
<td>Landrum</td>
<td>Vick</td>
</tr>
<tr>
<td>Comar</td>
<td>Landry, E. J.</td>
<td>Warren</td>
</tr>
<tr>
<td>Conroy</td>
<td>Leigh</td>
<td>Wattigney</td>
</tr>
<tr>
<td>Corne</td>
<td>Mauberret</td>
<td>Winchester</td>
</tr>
<tr>
<td>De Blieux</td>
<td>Morris</td>
<td>Zervigon</td>
</tr>
<tr>
<td>Denney</td>
<td>Newton</td>
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</tr>
<tr>
<td>Derbes</td>
<td>Rachel</td>
<td></td>
</tr>
<tr>
<td>Duval</td>
<td>Roy</td>
<td></td>
</tr>
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</table>

Total—52.

NOT VOTING

<table>
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<tr>
<th>Delegates</th>
<th>Pugh</th>
<th>Riecke</th>
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</thead>
<tbody>
<tr>
<td>Lambert</td>
<td>LeBluett</td>
<td>Stephenson</td>
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<td>Blair</td>
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<td>Stovall</td>
</tr>
<tr>
<td>Cowen</td>
<td>Miller</td>
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<tr>
<td>Cowen</td>
<td>Munson</td>
<td>Wall</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Oursou</td>
<td>Weiss</td>
</tr>
<tr>
<td>Keen</td>
<td>Planchard</td>
<td></td>
</tr>
</tbody>
</table>

Total—23.

By a vote of 54 yeas and 49 nays and the motion to reconsider was tabled.

Delegate De Blieux sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate De Blieux to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, in Floor Amendment No. 1 proposed by Delegate Gravel, et al. and adopted by the convention on November 2, 1973, delete lines 24 through 34 of the text of the amendment, both inclusive, in their entirety and insert in lieu thereof the following:

“(D) The state treasurer shall distribute the funds as provided in Paragraph (C) to the parishes as defined by law.”

Delegate De Blieux moved the adoption of the amendment.

Delegate Edwards objected.

By a vote of 15 yeas and 92 nays the amendment was rejected.

Delegate Edwards moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate O'Neill sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate O'Neill to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, line 7, in Floor Amendment No. 1 proposed by Delegate Gravel, et al. and adopted by the Convention on November 2, 1973, on line 41 of the text of the amendment immediately after the word “shall” delete the remainder of the line and delete lines 42 through 46, both inclusive, in their entirety and insert in lieu thereof the following:

“have prior approval of the State Bond Commission or its successor and shall be issued and sold as provided by law.”

On motion of Delegate O'Neill the amendment was adopted.

Delegate O'Neill moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Nunez sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Nunez, Alario, Tapper, D'Gerolamo and Gauthier to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, in Floor Amendment No. 1, proposed by Delegate Gravel and adopted by the Convention on November 2, 1973, on line 20 of the text of the amendment after the word and punctuation “state.” and before the word “Unless” insert the following:

“Provided however that no parish shall receive a lesser amount than was received by the parish from the property tax relief fund in 1971.”

On motion of Delegate Alario the amendment was withdrawn.

Vice-Chairman Ray in the Chair

Delegate Keen sent up floor amendments, which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegate Kean to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, line 7, in Floor Amendment No. 1, proposed by Delegate Gravel, et al., and adopted by the Convention on November 2, 1973, on line 32, immediately after the word "exemptions" delete the words and punctuation "granted in thisArticle," and insert in lieu thereof the following:

"applicable to state, parish, school, and city of New Orleans taxes, and to taxes levied by special districts, provided said special district taxes were eligible for reimbursement or payment from the property tax relief fund prior to abolition and repeal by Act 10 of the 1972 extraordinary session of the legislature. Such reimbursement to any tax recipient, when added to the ad valorem taxes collectable by that recipient, shall not exceed the sum obtained by making that same computation, had the millage adjustment provided in Section 5 not been made."

On motion of Delegate Perez a division of the question was ordered.

Delegate Kean moved the adoption of Amendment No. 1.

Delegate Winchester objected.

By a vote of 54 yeas and 51 nays the amendment was adopted.

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Newton objected to tabling the motion to reconsider.

By a vote of 53 yeas and 52 nays the motion to reconsider was tabled.

Delegate Kean moved the adoption of Amendment No. 2.

Delegate Winchester objected.

By a vote of 100 yeas and 6 nays the amendment was adopted.

Delegate Kean moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Rayburn sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Rayburn and Blair to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, in Floor Amendment No. 1, proposed by Delegate Gravel, et al. and adopted by the Convention on November 2, 1973, delete lines 33 through 46, both inclusive, in their entirety, including Convention Floor Amendment No. 1 proposed by Mr. O'Neill thereto and adopted by the Convention on November 2, 1973, and insert in lieu thereof the following:

"(E) Any political subdivision, as defined by Article VI of this constitution, may incur debt by the issuance of negotiable bonds, and may pledge for the payment of all or part of the principal and interest of such bonds the proceeds derived or to be derived from that portion of the funds received by it from the Revenue Sharing Fund, as provided in Paragraph (D) of this Section, to offset current losses caused by the homestead exemptions granted by this Article. No portion of any moneys allocated within any parish out of any balance remaining in any parish distribution, as provided in Paragraph (D) hereof, may be pledged to the payment of the principal or interest of any bonds. These bonds shall be issued and sold as provided by law, and shall require the approval of the State Bond Commission prior to issuance and sale."

On the motion of Delegate Rayburn the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair

Delegate Perez sent up a floor amendment which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Perez to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, in Floor Amendment No. 1, proposed by Delegates Gravel, et al. On November 2, 1973, at the end of the text inserted by Convention Floor Amendment No. . offered by Delegates Rayburn and Blair and adopted by the Convention on November 2, 1973, add the following:

"In addition to the above, the state shall pay out of the state general fund to each political subdivision a sum of money equal to the amount of taxes lost to each such political subdivision as the result of ad valorem tax exemptions granted by the state for manufacturing establishments after the adoption of this constitution. This provision shall not apply when the governing authority of the parish and of the school district in which such exempt industry is located approves by resolution such ad valorem tax exemption."

Delegate Perez moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario

Anzalone

Arnette

Avant

Berenger

Bollinger

Burns

Burson

Cannon

Carmouche

Chatelain

Chehardy

Conino

Total—38.

Delegates—

D'Gerolamo

Gauthier

Giarrusso

Heine

Jackson, J.

Kilbourne

Landry, E. J.

Lanier

Miller

Nunez

Ouimet

Perez

Perkins

Schmitt

Shannon

Singletary

Stinson

Sutherland

Toomey

Ullo

Velasquez

Wall

Willie

Zervigon

NAYS

Delegates—

Bleux

Denney

Dennis

Duval

Elkins

Fayard

Flory

Fontenot

Fowler

Fulco

Ginn

Goldman

Graham

Gravel

Grier

Guarisco

Hardee

Hayes

Haynes

Hernandez

Jackson, A.

Jenkins
77th Days Proceedings—November 2, 1973

Juneau  Morris  Stagg
Kean  Newton  Tate
Kelly  O'Neill  Thompson
Kilpatrick  Rachal  Tobias
Lambert  Rayburn  Vesich
Landrum  Reeves  Vick
Leigh  Roemer  Warren
McDaniel  Roy  Wattigny
Martin  Sandez  Welsh
Mauberret  Slay  Winchester
Maybuck  Smith  Wisham
Mire  Soniat

Total—68.

NOT VOTING

Delegates—
Aertker  Edwards  Pugh
Alexander  Jack  Riecke
Bel  Landry, A.  Segura
Comar  LeBlanc  Stephenson
Cowen  Leithman  Stovall
Derbes  Lennox  Tupper
Deshotels  Lowe  Thistlethwaite
Drew  Munson  Womack
Dunlap  Planchard

Total—28.

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy and Kean to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprint as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, line 7, in Floor Amendment No. 1 proposed by Delegates Gravel, et al., and adopted by the Convention on November 2, 1973, after the last line of said amendment and immediately below the last line of all amendments to date adopted to said Floor Amendment No. 1 by Delegate Gravel, et al., add the following paragraph:

"(F) In making the mileage adjustments provided in Section 5, there shall be considered as ad valorem taxes collected in the year the provisions of Section 1 of this Article are implemented so much of the distribution made in that year pursuant to this section to offset current losses because of homestead exemptions as exceeds the amount distributed in the prior year to offset current losses because of homestead exemptions then in effect."

Delegate Conroy moved the adoption of the amendment.

Delegate Burns objected.

By a vote of 27 yea and 71 nays the amendment was rejected.

Delegate Burns moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Burson to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprint as engrossed proposal as follows:

AMENDMENT No. 1—

On page 8, in Floor Amendment No. 1 proposed by Delegates Gravel, et al., and adopted by the Convention on November 2, 1973, in line 3 of Floor Amendment No. 1 pro-

posed by Delegate Womack and adopted by the Convention on the same day, delete the word “ninety” and insert in lieu thereof the words “one hundred”

AMENDMENT No. 2—

On page 8, line 7, in Floor Amendment No. 1 proposed by Delegate Gravel, et al., and adopted by the Convention on November 2, 1973, after the last line of said amendment and immediately below the last line of all amendments to date adopted to said Floor Amendment No. 1 by Delegate Gravel, et al., add the following paragraph:

"(F) No taxing authority shall be reimbursed an amount less than its losses caused by the homestead exemption."

On motion of Delegate Duval a division of the question was ordered.

Delegate Burson moved the adoption of Amendment No. 1.
Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario  Goldman  Sutherland
Anzalone  Gravel  Tobias
Bergeron  Leithman  Toca
Brown  Morris  Toomy
Burson  Newton  Ulo
Carmouche  Nunez  Velazquez
Casey  Perez  Vick
Chehardy  Rachal  Warren
Conino  Sandez  Wattigny
D’Gerolamo  Singletary  Willis
Giarrusso  Soniat  Zervigon

Total—33.

NAYS

Delegates—
Abraham  Graham  Mauberret
Aurante  Grier  Maybuck
Aseiff  Guarisco  Miller
Badeaux  Hardie  Mire
Blair  Hayes  O’Neill
Bollinger  Haynes  Perkins
Bren  Heine  Rayburn
Burns  Hernandez  Reeves
Cannon  Jack  Roemer
Chalmet  Jackson, A.  Roy
Conroy  Jenkins  Shannon
Corne  Juneau  Slay
De Blieux  Kelly  Slagg
Dennis  Kilbourne  Stinson
Deshotels  Kilpatrick  Thompson
Duval  Lambert  Vesich
Elkins  Landry, E. J.  Wall
Flory  Landry, E. J.  Weiss
Fontenot  Lanier  Winchester
Fowler  Leigh  Wisham
Fulco
Gauthier
Total—68.

NOT VOTING

Delegates—
Mr. Chairman  Edwards  Pugh
Aertker  Fayard  Riecke
Alexander  Ginn  Schmitt
Avant  Keen  Segura
Bel  Landrum  Stephenson
Comar  LeBlanc  Stovall
Cowen  Lennox  Tapper
Dennery  Lowe  Tate
Derbes  Munson  Thistlethwaite
Drew  Munson  Womack
Dunlap  Planchard

Total—31.

And the amendment was rejected.

Delegate Rayburn moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson moved the adoption of Amendment No. 2.

Delegate Burns objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Alario
Anzalone
Bergeron
Burns
Carmouche
Casey
Chebardy
Conino
D'Gerolamo
Gauthier
Girarruso

Total—54.

NAYS

Delegates—

Arnette
Asseff
Badeaux
Bair
Bollinger
Brun
Brown
Burns
Cannon
Champagne
Chateaubriant
Conroy
De Blieux
Deshotels
Duval
Elkins
Florey
Fontenot
Pew
Fouque
Graham

Total—62.

NOT VOTING

Delegates—

Mr. Chairman
Aertker
Alexander
Avant
Bel
Comar
Cone
Coven
Denery
Denn
Des
Drew
Edwards

Total—36.

The roll was called with the following result:

YEAS

Delegates—

Alario
Asseff
Badeaux
Blair
Brown
Burns
Carmouche
Chateaubriant
Conino
D'Gerolamo
Denn
Deshotels
Elkins
Fowler
Fulco
Gauthier
Girarruso
Ginn

Total—54.

NAYS

Delegates—

Mr. Chairman
Abraham
Anzalone
Arnette
Bergeron
Bollinger
Brun
Brown
Burson
Cannon
Casey
Chebardy
Conroy
Coven
De Blieux
Duval
Flory

Total—47.

NOT VOTING

Delegates—

Aertker
Alexander
Avant
Bel
Comar
Cone
Denery
Des
Drew
Dunlap

Total—31.

Failed to pass. Motion to reconsider pending.

Motion

On motion of Delegate Rayburn the Convention deferred action on Committee Proposal No. 26, Section 7 at this time.

Section 8. Tax Assessor

Section 8. (A) There shall be a tax assessor elected by the qualified electors of each parish in the state, parish of Orleans excepted. His term of office shall be four years and the legislature shall define his duties, fix his compensation, and provide for his election.

(B) There shall be seven assessors in the city of New Orleans, who together shall compose the Board of Assessors for the parish of Orleans. One shall be elected from each of the municipal districts of the city of New Orleans and they shall be residents of the districts from which they are elected. Their terms shall be four years and they shall be elected at the same time as the municipal officers of the city of New Orleans.

(C) When a vacancy occurs in the office of tax assessor the duties of the office, until it is filled by election as provided by law, shall be assumed by the chief deputy assessor,
AGENDA

Consideration of the following proposals:
DP No. 3
DP No. 53
DP No. 66
DP No. 90
DP No. 92
CP No. 30
CP No. 11

Status Report for Committee Proposals No. 7, 12, 14, 18, and 54.

Respectfully submitted,
ROBERT J. AERTKER,
Chairman of the Committee on
Education and Welfare

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Motion

On motion of Delegate Tate the Rules were suspended in order to call a meeting of the Committee on Style and Drafting without giving the required 24 hours notice.

COMMITTEE NOTICE

Judge Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Tuesday, November 6, 1973, after adjournment in the Treaty Room of the White House Inn and will consider the following agenda:

AGENDA

To consider Style and Drafting Amendments to be presented to the Convention.

Respectfully submitted,
TATE ALBERT, JR.
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Pugh—1 day.
Delegate Conroy—½ day.
Delegate Lennox—1½ day.
Delegate Bel—October 2 through November 10.
Delegate Lowe—1½ days.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Saturday, November 3, 1973 at 8:30 o'clock A.M.

As a substitute Delegate Smith moved that the Convention do now adjourn until Saturday, November 3, 1973 at 9:00 o'clock A.M.

The vote recurred on the substitute motion.

By a vote of 66 yeas and 14 nays the Convention adjourned until Saturday, November 3, 1973 at 9:00 o'clock A.M.

And Chairman Henry declared the Convention adjourned to Saturday, November 3, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate E. J. Landry.

Pledge of Allegiance

Delegate Leithman led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Roy, the reading of the Journal was dispensed with.

On motion of Delegate Roy, the Journal of yesterday was adopted.

Morning Hour

Reconsideration

Section 6. Revenue Sharing Fund

Section 6. There is hereby established and created a special fund in the State Treasury to be known as the Revenue Sharing Fund. The fund shall be composed of moneys which shall be transferred to it annually out of the state general fund by the state treasurer in the amount of eighty million dollars. This provision shall be self-operative. The legislature may allocate additional sums to the Revenue Sharing Fund and shall provide for distribution of the moneys in the fund to those local governing bodies, municipalities, police jurys, boards, commissions, districts, and other agencies as may be designated by it.

On motion of Delegate Rayburn the vote by which the above section failed to pass on yesterday was reconsidered.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduce by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegate Alario, Brown, Chehardy, Edwards, Goldier, Mauberry, Mire, Nunez, Planchard, Rayburn and Winchester: A PROPOSAL

Making provisions for property taxation.

Read.

Section 8. Tax Assessor

Section 8. (A) There shall be a tax assessor elected by the qualified electors of each parish in the state, parish of Orleans excepted. His term of office shall be four years and the legislature shall define his duties, fix his compensation, and provide for his election.

(B) There shall be seven assessors in the city of New Orleans, who together shall choose the Board of Assessors for the parish of Orleans. One shall be elected from each municipal district of the city of New Orleans, and they shall be residents of the districts from which they are elected. Their terms shall be four years and they shall be elected at the same time as the municipal officers of the city of New Orleans.

(C) When a vacancy occurs in the office of tax assessor the duties of the office, until it is filled by election as provided by law, shall be assumed by the chief deputy assessor, except in the parish of Orleans, where the Board of Assessors for the parish of Orleans shall appoint the interim assessor.

Read.

The chairman announced that the Convention had under consideration the following amendment proposed by Delegate Zervigon to Committee Proposal No. 26, Section 8, when it adjourned on Friday, November 3, 1973, which was taken up and acted upon as follows:
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 8, delete line 32 in its entirety, and on page 9 delete lines 1 through 7 both inclusive, in their entirety, and insert in lieu thereof the following:

"(B) In the city of New Orleans one assessor shall be elected from each municipal district. Together, they shall compose the board of assessors for the parish of Orleans. Each shall be a resident of the district from which elected. These assessors shall be elected at the same time as the municipal officers of New Orleans, and each shall serve for a term of four years."

Delegate J. Jackson moved the adoption of the amendment.
Delegate Vesich objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Abraham
Arnette
Bollinger
Brien
Burson
Champagne
De Bieux
Deshotels
Dunlap
Duval
Fontenot
Ginn
Goldman
Total—13.

NAYS

Delegates—
Alario
Anzalone
Assent
Avant
Badeaux
Bergeron
Blair
Burns
Cannon
Carmouche
Casey
Chaltain
Chehardy
Comar
Conino
Conroy
Corne
D’Gerolamo
Dennery
Dennis
Edwards
Elkins
Total—13.

NOT VOTING

Delegates—
Mr. Chairman
Aertker
Alexander
Bel
Brown
Coven
Derbes
Drew
Payard
Guarisco
Total—11.

And the amendment was rejected.

Delegate Vesich moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Motion

Delegate Smith moved that further action be deferred on Section 8 at this time.

As a substitute Delegate Roy moved that the Convention defer action on Section 8 and revert to Section 6 at this time.

Delegate J. Jackson objected.

The vote recurred on the substitute motion.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
</tr>
<tr>
<td>Anzalone</td>
</tr>
<tr>
<td>Bergeron</td>
</tr>
<tr>
<td>Blair</td>
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<tr>
<td>Burns</td>
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<tr>
<td>Burson</td>
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<tr>
<td>Cannon</td>
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<tr>
<td>Carmouche</td>
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<tr>
<td>Casey</td>
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<tr>
<td>Champagne</td>
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<tr>
<td>Chehardy</td>
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<td>Conner</td>
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<td>Conino</td>
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<td>Conroy</td>
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<td>D'Geralamo</td>
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<td>Dennis</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Edwards</td>
</tr>
<tr>
<td>Fulco</td>
</tr>
<tr>
<td>Gauthier</td>
</tr>
</tbody>
</table>

Total—64.

NAYS

| Faulkner | Fletcher | Lea
| Gueymer | Gueymer | Leibeaux
| Haydel | Haydel | Lesueur
| Hebert | Hebert | Lowery
| James | Jackson, A. | Lott
| DeBlieux | Jackson, J. | Loy
| Demetre | Jenkins | Mackey
| Deshotels | Kilbourne | Marnier
| Florio | Landrum | Martin
| Fontenot | Landry, E. J. | Massey

Total—36.

Not Voting

| Mrs. Chairman | Fayard | Perkins |
| Acker | Jack | Pugh |
| Alexander | Lambert | Rieche |
| Bel | Lemieux | Stephenson |
| Bellinger | Lennox | Stovall |
| Brown | Lowe | Thistlewaite |
| Cowen | McDaniel | Thompson |
| Dorbes | Munson | Ulo |
| Drew | Newton | Wall |
| Elkins | Ousso | Womack |

Total—32.

And the Convention deferred action on Section 8 and reverted to Section 6.

Section 6. Revenue Sharing Fund

Section 6. There is hereby established and created a special fund in the State Treasury to be known as the Revenue Sharing Fund. The fund shall be composed of moneys which shall be transferred to it annually out of the state general fund by the state treasurer in the amount of eighty million dollars. This provision shall be self-operative. The legislature may allocate additional sums to the Revenue Sharing Fund and shall provide for distribution of the moneys in the fund to those local governing bodies, municipalities, police juries, boards, commissions, districts, and other agencies as may be designated by it.

Read.

Delegate Rayburn sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT


Amend reprinted as engrossed Proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 7 through 10, both inclusive, including the floor amendment proposed by Delegates Gravel, et al., and adopted by the Convention on November 2, 1973, and all floor amendments adopted to said floor amendment by Delegates Gravel, et al., and insert in lieu thereof the following:

"Section 6. Revenue Sharing Fund; Distribution; Pledge of Proceeds

Section 6. (A) A special fund is created in the state treasury to be known as the Revenue Sharing Fund.

(B) There is hereby allocated annually from the State General Fund to the Revenue Sharing Fund the sum of ninety million dollars. The legislature may appropriate additional sums to the Revenue Sharing Fund.

(C) The Revenue Sharing Fund shall be distributed annually as provided by the legislature solely on the basis of population and number of homesteads in each parish in proportion to population and the number of homesteads throughout the state. Unless the legislature provides otherwise, population statistics of the last federal decennial census shall be utilized for this purpose.

(D) The funds distributed to each parish as provided in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of the city of New Orleans and in all other parishes by the parish tax collector. The funds allocated to the Monroe City School Board, or its successor, shall be distributed to and by the city treasurer of the city of Monroe. After deductions, in each parish, for retirement systems and commissions, as authorized by law, the remaining funds, to the extent available, by first priority shall be distributed to the tax recipient bodies, as defined by law, within the parish to offset current losses caused by homestead exemptions granted in this Article. Any balance thereafter remaining in any parish distribution shall be allocated to the municipalities and tax recipient bodies within each parish in accordance with law.

(E) Any political subdivision, as defined by Article VI of this constitution, may incur debt by the issuance of negotiable bonds, and may pledge for the payment of all or part of the principal and interest of such bonds the proceeds derived or to be derived from that portion of the funds received by it from the Revenue Sharing Fund, as provided in Paragraph (D) of this Section, to offset current losses caused by homestead exemptions granted by this Article. Unless otherwise provided by the legislature, no portion of any moneys allocated within any parish out of any balance remaining in any parish distribution, as provided hereunder, shall be pledged in payment of, or to the payment of, the principal or interest of any bonds. These bonds shall be issued and sold as provided by law, and shall require the approval of the State Bond Commission, or its successor, prior to issuance and sale."

Delegate Rayburn moved the adoption of the amendment.

Delegate Florio objected.

Delegate Florio asked for a record vote on the amendment.

And, upon the joining of 26 delegates, the Chair ordered a record vote on the amendment.

Motion

Delegate Anzalone moved for a suspension of the rule,
for the purpose of this amendment, which requires a record vote upon the request of 26 Delegates.

Delegate Tapper objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Anzalone        Fulco        Tobias
Casey           Segura       Willis
Chatelain       Stinson       Zervigon

NAYS

Delegates—

Mr. Chairman    Gauthier      O’Neill
Abraham         Giarrusso     Perez
Alario          Goldman      Planchar
Annette         Graham       Rachal
Assiff          Grivel        Rayburn
Avant           Guerisco      Reeves
Badeaux         Hayes        Roemer
Bergeron        Hernandez    Sandoz
Blair           Haynes       Schmitt
Bollinger       Heine
Brien           Hernandez
Burns           Jack
Burson          Jackson, A.
Cannon          Jackson, J.
Carmouche       Jenkins
Champagne       Juneau
Chehardy         Kean
Comar           Kilbourne
Conino          Landrum
Corroy          Landry, A.
D’Gerolamo       Landry, E. J.
De Blieux  
Denner  
Dennis          McDaniel
Dunlap          Martin
Duval           Maubertet
Edwards         Maybuc
Flory           Miller
Fontenot        Mire
Fowler          Morris

Total—90.

NOT VOTING

Delegates—

Aertker       Hardee
Alexander     Kelly
Bel           Kilpatrick
Brown         Lambert
Corne         LeBlu
Cowan         LeBlu
Desbres       Lenox
Drew           Lowe
Elkins         Munson
Fayard         Newton
Ginn           Ousso
Kelly

Total—28.

And the amendment was adopted.

Delegate Rayburn moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Rayburn moved the previous question on the entire subject matter.

Delegate Abraham objected.

By a vote of 70 yeas and 29 nays, the previous question was ordered.

Committee Proposal No. 26 Section 6 was read in full.

Delegate Rayburn moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman    Anzalone
Abraham         Arnette
Alario          Badeaux

Carmouche       Dunlap
Casey           Duval
Champagne       Edwards
Chehardy        Elkins
Conino          Faulo
Corroy          Gauthier
Conor           Giarrusso
Cannon

Total—33.

And the Convention refused to suspend the rules at this time.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman    Anzalone
Abraham         Arnette
Alario          Badeaux

Carmouche       Dunlap
Casey           Duval
Champagne       Edwards
Chehardy        Elkins
Conino          Faulo
Corroy
Cannon

Total—10.
Delegate Abraham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Fontenot sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Fontenot to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 8, delete lines 27 through 32, both inclusive, in their entirety and on page 9, delete lines 1 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. (A) There shall be a tax assessor elected by the qualified electors of each parish in the state. His term of office shall be four years and the legislature shall define his duties, fix his compensation, and provide for his election. (B) When a vacancy occurs in the office of tax assessor the duties of the office, until it is filled by election as provided by law, shall be assumed by the chief deputy assessor."

**Motion**

Delegate Shannon moved for a suspension of the Rules in order to limit debate on amendments to Committee Proposal 26, Section 7 of two proponents and two opponents with each speaker limited to five minutes.

Delegate Fontenot objected.

By a vote of 52 yeas and 29 nays, the Convention refused to suspend the Rules at this time.

Delegate Fontenot moved the adoption of the amendment.

Delegate Alario objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate Abraham

Delegates—

Fontenot

Auret

Arnette

Asshoff

Champagne

DeBlieux

Elkins

Total—17.

**NAYS**

Delegate Alario

Giarrusso

Graham

Conroy

Carne

D'Gerolamo

Denney

Dennis

Deshotels

Dunlap

Duval

Flory

Gauthier

Total—74.
Delegate Vesich moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Landrum sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Landrum, Velazquez, J. Jackson and Schmitt to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 9, line 3, after the words and punctuation “New Orleans,” and before the word “and” insert the words “which districts shall be drawn as equally as practicable on the basis of the total population of the parish of Orleans as shown by the last decennial federal census.”

**Motion**

Delegate Roy moved the previous question on the amendment.

Delegate Lanier objected.

By a vote of 20 yeas and 60 nays the Convention refused to order the previous question at this time.

**Motion**

Delegate Arnette moved the previous question on the amendment.

As a substitute Delegate Smith moved the previous question on the entire subject matter.

Delegate Jackson objected.

The vote recurred on the substitute motion.

By a vote of 45 yeas and 43 nays the previous question was ordered on the entire subject matter.

Delegate J. Jackson moved the adoption of the amendment.

Delegate Vesich objected.

By a vote of 37 yeas and 55 nays the amendment was rejected.

Delegate Vesich moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 26, Section 8 was read as amended.

Delegate Rayburn moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>Yeas</th>
<th>Nays</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fulco</td>
<td>Perez</td>
</tr>
<tr>
<td>Alario</td>
<td>Gauthier</td>
<td>Pichard</td>
</tr>
<tr>
<td>Anzalone</td>
<td>Girrussio</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Asseff</td>
<td>Goldman</td>
<td>Reeves</td>
</tr>
<tr>
<td>Avant</td>
<td>Gravel</td>
<td>Roemer</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Grier</td>
<td>Roy</td>
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<tr>
<td>Bergeron</td>
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<td>Sandoz</td>
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<td>Blair</td>
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<tr>
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<td>Hayes</td>
<td>Singletery</td>
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<td>Haynes</td>
<td>Slay</td>
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<tr>
<td>Burson</td>
<td>Heine</td>
<td>Smith</td>
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<tr>
<td>Cannon</td>
<td>Hernandez</td>
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<td>Carmouche</td>
<td>Jack</td>
<td>Stinson</td>
</tr>
<tr>
<td>Casey</td>
<td>Juneau</td>
<td>Sutherland</td>
</tr>
<tr>
<td>Chafein</td>
<td>Kean</td>
<td>Tapier</td>
</tr>
<tr>
<td>Chehardy</td>
<td>Kilbourne</td>
<td>Tate</td>
</tr>
<tr>
<td>Comar</td>
<td>Landrum</td>
<td>Tobias</td>
</tr>
<tr>
<td>Conino</td>
<td>Landry, A.</td>
<td>Toomy</td>
</tr>
<tr>
<td>Conroy</td>
<td>Landry, E. J.</td>
<td>Velazquez</td>
</tr>
<tr>
<td>Corne</td>
<td>Lerner</td>
<td>Vescio</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Leithman</td>
<td>Vick</td>
</tr>
<tr>
<td>Dennery</td>
<td>Martin</td>
<td>Warren</td>
</tr>
<tr>
<td>Dennis</td>
<td>Maubernet</td>
<td>Wattigny</td>
</tr>
<tr>
<td>Deshotels</td>
<td>Mire</td>
<td>Willis</td>
</tr>
<tr>
<td>Dunlap</td>
<td>Morris</td>
<td>Winchester</td>
</tr>
<tr>
<td>Elkins</td>
<td>Nunez</td>
<td>Wisham</td>
</tr>
<tr>
<td>Florey</td>
<td>O'Neil</td>
<td>Zervigon</td>
</tr>
<tr>
<td>Fowler</td>
<td>Total—82.</td>
<td></td>
</tr>
<tr>
<td>Ginn</td>
<td></td>
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<tr>
<td>Total—41.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Vesich moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Landrum sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Schmitt to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 9, line 3, add the following:

“Section 9. Multi-parish Districts

Section 9. (A) All ad valorem taxes levied by a multi-parish taxing district shall be equal and uniform upon the same class of property.”

On motion of Delegate Schmitt the amendment was withdrawn.

727
Delegate Schmitt sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Schmitt to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 9, line 13, add the following new section:

"Section 9. Assessment Ratio Studies

Section 9. The Louisiana Tax Commission shall conduct an
assessment ratio study annually in each parish to determine
the ratio of assessed value to fair market value. The results
of the study shall be the basis used for valuing public ser-
vice property, for equally applying the millages as pro-
vided in Section 1 hereof, and for determining the homestead
exemption level in the various assessing districts."

Delegate Schmitt moved the adoption of the amendment.
Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Sutherland</td>
<td>Velazquez</td>
</tr>
<tr>
<td>Wall</td>
<td>Warren</td>
</tr>
<tr>
<td>Weiss</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAYS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Perez</td>
<td>Planchar</td>
</tr>
<tr>
<td>Rachal</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Reeves</td>
<td>Roemer</td>
</tr>
<tr>
<td>Shannon</td>
<td>Singletary</td>
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<tr>
<td>Slay</td>
<td>Smith</td>
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<td>Smith</td>
<td>Soniat</td>
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<td>Sinsky</td>
<td>Tate</td>
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<td>Tobis</td>
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<td>Toca</td>
<td>Tomney</td>
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<tr>
<td>Vesel</td>
<td>Vick</td>
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<tr>
<td>Vezh</td>
<td>Wattigny</td>
</tr>
<tr>
<td>Will</td>
<td>Winchester</td>
</tr>
<tr>
<td>Wisham</td>
<td>Zervigon</td>
</tr>
</tbody>
</table>

**NOT VOTING**

| Drew | LeBlanc |
| Duval | Lennox |
| Edwards | Lowe |
| Fayard | McDaniel |
| Glenn | Miller |
| Hardee | Morris |
| Jack | Munson |
| Jack, J. | Newton |
| Kelly | Ouire |
| Kilpatrick | Perkins |
| Lambert | Fugh |
| LeBlanc | Riecke |

The amendment not having received the vote of a majority
of the total membership of the Convention necessary to
add a Section to a Proposal, failed to pass.

Delegate Rayburn moved to reconsider the vote by which
the amendment was rejected, and on his own motion, the
motion to reconsider was laid on the table.

Delegate Lanier sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Lanier, A. Landry, Bollinger, Fowler, Carmouche, Mire, Champagne, Burson, Guarisco and Hardee to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 7, between lines 20 and 21, add the following new section:

"Section 41. Acreage Taxes

Section 41. Acreage taxes, assessments and contributions for the benefit of the land may be levied and collected within political subdivisions as heretofore or hereafter authorized by law, and these taxes, assessments and contributions shall not be subject to the provisions of Section 1 of this Article. However, property occupied as a homestead, as defined in Section 1 of this Article, shall be from acreage taxes, assessments and contributions levied for forestry purposes."

On motion of Delegate Lanier the motion was withdrawn.

Delegate Lanier sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Lanier, A. Landry, Bollinger, Fowler, Carmouche, Mire, Champagne, Burson, Guarisco and Hardee to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 7, between lines 20 and 21, add the following new section:

"Section 41. Acreage Taxes

Section 41. Acreage taxes, assessments and contributions for the benefit of the land may be levied and collected within political subdivisions as heretofore or hereafter authorized by law, and these taxes, assessments and contributions shall not be subject to the provisions of Section 1 of this Article. However, property occupied as a homestead, as defined in Section 1 of this Article, shall be subject to the homestead exemption from acreage taxes, assessments and contributions levied for forestry purposes."

On motion of Delegate Lanier the amendment was withdrawn.

**Leaves of Absence**

Delegate Perkins—1 day.
Delegate Aterker—1 day.
Delegate Ullo—1 day.
Delegate Thompson—1 day.
Delegate Fayard—1 day.

**Adjournment**

Delegate Abraham moved that the Convention do now adjourn until Tuesday, November 6, 1973 at 1:00 o'clock P.M.

As a substitute Delegate Flory moved that the Convention adjourn until Wednesday, November 7, 1973, at 9:00 o'clock A.M.

Delegate Nunez objected.

The vote recurred on the longest period of time.
By a vote of 9 yeas and 69 nays the Convention refused to adjourn until Wednesday, November 7, 1973 at 9:00 o'clock A.M.

On motion of Delegate Nunez the Convention adjourned to Tuesday, November 6, 1973 at 1:00 o'clock P.M.

And Chairman Henry declared the Convention adjourned to Tuesday, November 6, 1973 at 1:00 o'clock P.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Chatelain.

Pledge of Allegiance

Delegate Reeves led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate A. Landry, the reading of the Journal was dispensed with.

On motion of Delegate A. Landry, the Journal of yesterday was adopted.

Morning Hour

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

The Chairman read to the Convention a letter from Delegate Lennox addressed to the Honorable Edwin E. Edwards, Governor of the State of Louisiana, whereby Delegate Lennox tendered his resignation as a delegate to the Constitutional Convention.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals

Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Maubernet, Mire, Nunez, Planchard, Slay and Winchester:

A PROPOSAL

Making provisions for property taxation.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal Number 26, when it adjourned on Saturday, November 3rd, 1973, which was taken up and acted upon as follows:

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 9, line 13, add the following:

"Section 9. Tax Sales; Redemption of Property

Section 9. There shall be no forfeiture of property for the nonpayment of taxes, but at the expiration of the year in which said taxes are due, the collector shall, without suit, and after giving notice to the delinquent in the manner provided by law, advertise for sale in the official journal of the parish or municipality, provided there be an official journal in such parish or municipality: or, if not, then, as is now or may be provided by law for sheriff's sales, the property on which the taxes are due in the manner provided for judicial sales, and on the day of sale he shall sell such portion of the property as the debtor shall point out and in case the debtor shall not point out sufficient property, the collector shall, at once and without further delay, sell the least quantity of property which any bidder will buy for the amount of taxes, interest and costs. The sale shall be without appraisement and the property sold shall be redeemable at any time during three years from date for recordation of the tax sale, by paying the price given, including costs and five per cent penalty thereon, with interest at the rate of one percent per month until re-
No judgment annulling a tax sale shall have effect until the price and all taxes and costs are paid, with ten percent per annum interest on the amount of the price and taxes paid from date of respective payments, be previously paid to the purchaser; provided, this shall not apply to sales annulling an account of taxes having been paid prior to the date of sale, all deeds of sale made, or that may be made, by the collectors of taxes, shall be received by courts in evidence as prima facie valid sales.

No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes for which the property was sold prior to the date of the sale, unless the proceeding to annul is instituted within six months from service of notice of sale, which notice shall not be served until the time of redemption shall have expired and within five years from the date of the recordation of the tax deed, if no notice is given. The fact that taxes were paid on a part of the property sold, prior to the sale thereof, or that part thereof was not subject to taxation, shall not be cause for annulling the sale as to any part thereof on which the taxes for which it was sold were due and unpaid.

On motion of Delegate Avant the amendment was withdrawn.

Delegate Lanier sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Lanier and Planchar to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—

On page 7, between lines 20 and 21, add the following new Section:

"Section 41. Specific Property Taxes

Section 41. Acreage, assessments, and contributions for the benefit of land and other specific property taxes shall be listed on the assessment rolls but shall not be subject to the other provisions of Section 1 of this Article. However, the exemption of homesteads from taxation therein provided is hereby extended and made applicable to forestry acreage taxes."

Delegate Lanier moved the adoption of the amendment.

Delegate Pugh objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<thead>
<tr>
<th>Delegates—</th>
<th>FAYARD</th>
<th>MILLER</th>
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<td>Singlelary</td>
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<td>Conino</td>
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<td>Dunlap</td>
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<tr>
<td>Duval</td>
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<td>Elkins</td>
<td>Leithman</td>
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**Toomy**

<table>
<thead>
<tr>
<th>Warren</th>
<th>Wattigny</th>
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<tbody>
<tr>
<td>Ullo</td>
<td>Willis</td>
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**Total—72**

**NAYS**

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<tr>
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<th>Lowe</th>
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<td>Soniat</td>
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<td>Vick</td>
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**Total—20**

**NOT VOTING**

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<td>Stephenson</td>
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<td>Stinson</td>
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<tr>
<td>Casey</td>
<td>Landrum</td>
<td>Tapper</td>
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<td>Tate</td>
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<td>Martin</td>
<td>Thistlethwaite</td>
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<td>Thompson</td>
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<td>Deshotels</td>
<td>Ourso</td>
<td>Wall</td>
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<td>Drew</td>
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<td>Weiss</td>
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<td>Edwards</td>
<td>Rachal</td>
<td>Wisham</td>
</tr>
</tbody>
</table>

**Total—39**

The amendment having received the vote of a majority of the total membership of the Convention necessary to add a Section to a Proposal was passed.

Delegate Lanier moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Explanation of Vote**

Delegate Pugh sent up the following explanation of vote with respect to the adoption of the above Floor Amendment No. 1 proposed by Delegates Lanier and Planchar:

"I have voted against this amendment due to the language in the last sentence thereof which, in my opinion, raises a constitutional question under the 14th Amendment to the United States Constitution."

Delegate Pugh sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Pugh to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—

On page 7, between lines 20 and 21, in Floor Amendment No. 1 proposed by Delegates Lanier and Planchar, and adopted by the Convention on November 6, 1973, on line 6 of said amendment after the word and punctuation "Article," delete the remainder of the line and delete lines 7 and 8 in their entirety.

Delegate Pugh moved the adoption of the amendment.

Delegate Lanier objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<thead>
<tr>
<th>Delegates—</th>
<th>Elkins</th>
<th>Jenkins</th>
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<tbody>
<tr>
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<td>Champagne</td>
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<td>Lowe</td>
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<td>Conroy</td>
<td>Hardee</td>
<td>McDaniel</td>
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<td>Dobbes</td>
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<tr>
<td>Jackson, A.</td>
<td>Palmer</td>
<td>Rayburn</td>
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**Total—72**
79th Days Proceedings—November 6, 1973

<table>
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<tr>
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<th>Warren</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<td>Alexander</td>
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<td>Edwards</td>
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<td>Goldman</td>
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<td>Jack</td>
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<td>Total—35.</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Lanier moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 26, Section 4.1 was read.

Delegate Lanier moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

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<tbody>
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<td>Mr. Chairman</td>
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</tr>
<tr>
<td>Alexander</td>
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<tr>
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<td>Jackson, J.</td>
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<tr>
<td>Total—35.</td>
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</tr>
</tbody>
</table>

Failed to pass. Motion to reconsider pending.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 9, line 13, add the following:

"Section 9. Tax Sales; Redemption of Property
Section 9. There shall be no forfeiture of property for the nonpayment of taxes, but at the expiration of the year in which said taxes are due, the collector shall, without suit, and after giving notice to the delinquent in the manner provided for, advertise such sale in the official journal of the parish or municipality, provided there be an official journal in such parish or municipality; or, if not, then, as is now or may be provided by law for sheriff's sales, the property on which the taxes are due in the manner provided for judicial sales, and on the day of sale, he shall sell such portion of the property as the debtor shall point out and in case the debtor shall not point out sufficient property, the collector shall, at once and without further delay, sell the least quantity of property which any bidder will buy for the amount of taxes, interest and costs. The sale shall be without appraisement and the property sold shall be redeemable at any time during three years from date of recordation of the tax sale, by paying the price given, including costs and five per cent penalty thereon, with interest at the rate of one per cent per month until redeemed. No judgment annulling a tax sale shall have effect until the price and all taxes and costs are paid, with ten percent per annum interest on the amount of the price and taxes paid from date of respective payments, be previously paid to the purchaser; provided, this shall not apply to sales annulling on account of taxes having been paid prior to the date of sale, all deeds of sale made, or that may be made, by the collectors of taxes, shall be received by courts in evidence as prima facie valid sales.

No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes for which the property was sold prior to the date of the sale, unless
the proceeding to annul is instituted within six months from service of notice of sale, which notice shall not be served until the time of redemption shall have expired and within five years from the date of the recordation of the tax deed, if no notice is given. The fact that taxes were paid on a part of the property sold, prior to the sale thereof, or that part thereof was not subject to taxation, shall not be cause for annulling the sale as to any part thereof on which the taxes for which it was sold were due and unpaid."

The manner of notice and form of proceeding to quiet tax titles shall be provided by law. Taxes on movables shall be collected by seizure and sale by the tax collector of the movable property of the delinquent, whether it be the property assessed or not, sufficient to pay the tax. Sale of such property shall be made at public auction, without appraisement, after ten days advertisement, made within ten days from date of seizure, and shall be absolute and without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquents to deliver up for sale property in his possession or under his control.

The legislature shall be authorized to postpone the payment of taxes, only in cases of overflow, general conflagration, general destruction of crops, or other public calamity, and may provide for the levying, assessing and collecting such postponed taxes under appropriate terms and conditions. In such cases the legislature may authorize the borrowing of money by the state on its faith and credit, by bond issue or otherwise, and levy taxes, or apply taxes already levied and not appropriated, to secure payment thereof, in order to create a fund from which loans may be made through the State Board of Liquidation to the governing authority of the parish where the calamity befalls, to be applied to and not to exceed the deficiency and revenue of the parish or any political subdivision therein, or of which the parish is a part, caused by postponement of taxes. No loans shall be made to the governing authority of any parish without the approval of the State Board of Liquidation.

Delegate Avant moved the adoption of the amendment.
Delegate Asseff objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Payne</td>
</tr>
<tr>
<td>Abraham</td>
<td>Llore</td>
</tr>
<tr>
<td>Asseff</td>
<td>Leithman</td>
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<td>Bergeron</td>
<td>O'Neill</td>
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<td>Pichard</td>
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<td>Sandoz</td>
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<td>Comar</td>
<td>Schmitt</td>
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<td>Cowen</td>
<td>Soniat</td>
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<td>D'Geralomo</td>
<td>Stagg</td>
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<td>Dunlap</td>
<td>Stephenson</td>
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<tr>
<td>Duval</td>
<td>Stovall</td>
</tr>
<tr>
<td>Elkins</td>
<td>Sutherland</td>
</tr>
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</table>

Toca | Vesich |
Toomy | Warren |
Ulu | Wattigny |
Velasquez | Willis |

NOT YING

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asseff</td>
<td>Tobias</td>
</tr>
<tr>
<td>Casey</td>
<td>Zervigon</td>
</tr>
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</table>

FLOOR AMENDMENTS

Amendments proposed by Delegates Derbes, Singletary, Pugh, and Tobias to Committee Proposal No. 26 by Delegate Rayburn, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—On page 8, line 13, delete Floor Amendment No. 1 proposed by Delegates Avant, et al., and adopted by the Convention on November 6, 1973.

AMENDMENT No. 2—On page 9, line 13, add the following:

"Section 9, Tax Sales: Redemption of Property Section 9. There shall be no forfeiture of property for non-payment of taxes. However, the legislature shall provide for the sale and redemption of such property. The period during which redemption may occur shall be not less than three years from date of adjudication."

Delegate Derbes moved the adoption of the amendments.
Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates—</th>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
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<tr>
<td>Arnette</td>
<td>Brown</td>
</tr>
<tr>
<td>Asseff</td>
<td>Chatelain</td>
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<td>Conroy</td>
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<td>Berenger</td>
<td>Corne</td>
</tr>
<tr>
<td>Brown</td>
<td>Dennery</td>
</tr>
</tbody>
</table>

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79th Days Proceedings—November 6, 1973

DELEGATES—

Auker
Alaric
Anzalone
Avant
Blair
Burns
Burns
Cannon
Comer
Conlon
Cowie
D'Gerolamo
Dundie
Enick
Flory
Fontenot
Fowler
Gauthier
Garrusso

NAYS

Ginn
Grier
Guarisco
Hardee
Hayes
Kelly
Kilbourne
Kilpatrick
Lehrman
Landrum
Leigh
Leigh
Luneau
Luneau
McDaniel
Maybury
Miller
Mire
Morris
Nunez
O'Neill
Ours

NAYS

Perez
Planchar
Rayburn
Rieke
Roemer
Shannon
Slav
Stephenson
Teppler
Tonga
Tonga
Tonga
Tonga
Tonga

NOT VOTING

Delegates—
Mr. Chairman
Alexander
Bel
Chehardy
De Bleux
Dennis
Deshotels
Drew
Edwards

Total—38.

NOT VOTING

Goldman
Jack
Kean
LeBlanc
Mary
Miller
Mire
Morris
Nunez

Perkins
Roy
Smith
Stinson
Wichiser
Wisham
Womack

Total—24.

Delegates—
Haynes
Heine
Hernandez
Jackson, A.
Jenkins
Juneau
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
LaNier
LeBlanc
Leigh
Leithman
Love

McDaniel
Maybury
Miller
Mire
Morris
Nunez
O'Neill
Ours

Stephenson
Stovall
Sutherland
Tapper
Toca
Toomey
Ulo
Velasquez
Vesich
Wall
Warren
Wattigny
Willis
Winchester
Wisham
Womack
Zervigon

And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 26, Section 9 was read.

Delegate Avant moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Cannon
Carmouche
Chateland
Comar
Conino
Corne
Cowan
D'Gerolamo
Denerry
Derbes
Dundie
Duval
Elkins

Fayard
Flory
Fontenot
Fowler
Gauthier
Gavilier
Garrusso
Giann
Graham
Graue
Grier

Ye   
Haynes
Hernandez
Jackson, A.
Jenkins
Juneau
Kelly
Kilbourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
LaNier
LeBlanc
Leigh
Leithman
Love

McDaniel
Maybury
Miller
Mire
Morris
Nunez
O'Neill
Ours

Stephenson
Stovall
Sutherland
Tapper
Toca
Toomey
Ulo
Velasquez
Vesich
Wall
Warren
Wattigny
Willis
Winchester
Wisham
Womack
Zervigon

And the Chair declared that the above Section was finally passed.

Delegate Avant moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Lanier the motion to reconsider the vote by which Section 4.1 failed to pass was laid on the table.

The Proposal was read in full.

Delegate Rayburn moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:
Tapper            Velazquez        Willis  
Tate              Vesich          Winchester  
Teca              Wall            Wisham  
Toomy             Warren          Womack  
Ulio              Watigny         1
Total—43.  

NAYS

Delegates—
Abraham        Denner        Schmitt
Asseff          Derbes       Singletary
Avant           Duval         Varnett
Bergeron        Florien       Stagg
Brien            Guarisco     Sutherland
Burson          Jenkins       Thompson
Carmouche       Landrum       Tobias
Casey            Roemer       Zervigon
Comer
Total—25.

NOT VOTING

Delegates—
Alexander       Goldman       Perkins
Bel              Jackson, J.  Roy
Chehardy        Keun          Smith
De Bieaux        Martin       Stinson
Dennis          Mauberret    Thistlethwaite
Deshotels       Munson        Vick
Drew             Newton       Weiss
Edwards
Total—23.

And the Chair declared that the above Proposal was finally passed.

Explanation of Vote

By Gary O’Neill:

My favorable vote on this article is not reflective of my views on property taxation. Rather, it is a vote on the most restrictive article we could possibly achieve in this Convention. While I do not favor taxation on private property, I feel this article will impose such limitations as to prevent confiscatory taxation levels in the future.

Proposals
Delegate and Committee

The following entitled Delegate Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL NUMBER 17—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parishal Government, and Delegates Burson, Cannon, Chatelain, Comito, D’Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ulio, and Zervigon:

A PROPOSAL

Making general provisions for local and parishal government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Called from the Calendar.

Read.

Section 31. Parish Tax Limits; Increase; Withdrawal of Municipality from Parish Taxing Authority

Section 31. (A) The governing authority of each parish may levy an ad valorem tax for general purposes, in an amount not to exceed in any one year, four mills on the dollar of assessed valuation. However, in Orleans Parish the limitation shall be seven mills and in Jackson Parish the limitation shall be five mills. Millage rates may be increased in any parish when approved by a majority of the electors who vote in an election held for that purpose.

(B) When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied, the length of time the tax is to remain in effect, and all proceeds of the tax shall be dedicated to the purpose or purposes set forth in the proposition.

(C) The amount of the parish tax for general purposes which any parish, except the parish of Orleans, may levy, without a vote of the electors, on property located wholly within any municipality, which has a population in excess of one thousand inhabitants according to the last census and which provides and maintains a system of street paving, shall not exceed one-half the tax levy for general purposes.

(D) This Section shall not be construed to repeal or affect the withdrawal of property in a municipality from parishal taxing jurisdiction, in whole or in part, by a provision of the legislative charter of the municipality in effect on the date of adoption of this constitution.

Read.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 18, line 1, immediately after the words “shall be” and before the words “the purpose” delete the words “dedicated to” and insert in lieu thereof the words “used solely for”

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Gravel sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 18, line 7, after the word “last” and before the word “census” insert the words “federal decennial”

AMENDMENT No. 2—
On page 18, at the end of line 7, after the word “census” insert a comma “,” and add the following: “or such other census as may be provided for by law,”

On motion of Delegate Gravel the amendments were adopted.

Delegate Gravel moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 31 was read, as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman: Abramah, Aertker, Alario, Arnette, Asseff, Avant, Badeaux, Barberon, Blair, Brien, Brown, Burns, Burson, Cannon, Carmouche, Casey, Champagne, Chatelain, Comito, Conino, Conroy, Corne, Cowen, D’Gerolamo, Dennery, Derbes, Duval, Ekins, Fayard, Flory, Fontenot, Fowler, Gauthier, Giarrusso, Ginn, Graham, Gravel, Grier, Guarisco, Hayes, Haynes
before the words "the purpose" delete the words "dedicated to" and insert in lieu thereof the words "used solely for"

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 32, was read as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman  Fowler  Planchard
Abraham  Fulco  Pugh
Aerikker  Gauthier  Rayburn
Alario  Giarrusso  Ralch
Anzalone  Ginn  Reeves
Arnette  Graham  Roemer
Asseff  Gravel  Sanders
Avant  Greer  Schmitt
Badeaux  Guarisco  Segura
Bergeron  Hardee  Shannan
Blair  Hayes  Singletary
Bollinger  Haynes  Slay
Brien  Heine  Soniat
Brown  Hernandez  Stagg
Burns  Jackson, A.  Stephenson
Burton  Kelly  Stovall
Cannon  Kilbourne  Sutherland
Carmonche  Kilpatrick  Tapper
Carmuche  Casey  Taul
Chancampagne  Chambers  Taylor
Chatrelain  Landry, A.  Thompson
Comar  Landry, E. J.  Tobias
Conlin  Lanier  Toca
Conroy  LeBlanc  Toomy
Corne  Leigh  Ullo
Cowan  Leithman  Velazquez
D'Gerolamo  Lowe  Vesci
Dennery  McDaniell  Wall
Derbes  Maybucke  Warren
Dunlap  Miller  Wattigny
Duval  Mire  Willis
Eikins  Morris  Winchester
Fayard  Newton  Wisham
Flory  Nunez  Womack
Fontenot  Perez  Zervigon

Total—105.

NAYS

Delegates—
O'Neil

Total—2.

NOT VOTING

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 32. Municipal Tax Limits; Increase

Section 32. (A) The governing authority of each municipality may levy an ad valorem tax for general purposes, in an amount not to exceed in any one year, seven mills on the dollar of assessed valuation; provided that where any municipality is, by its charter or by law, exempt from payment of parish taxes or, under legislative authority, maintains its own public schools, it may levy an annual tax not to exceed ten mills of the dollar of assessed valuation. Millage rates may be increased in any municipality when approved by a majority of the electors who vote in an election held for that purpose.

(B) When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied, the length of time the tax is to remain in effect, and all proceeds of the tax shall be dedicated to the purpose or purposes set forth in the proposition.

(C) This Section shall not apply to the city of New Orleans.

Read.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend printed as engrossed proposal as follows:

AMENDMENT No. 1—

On page 16, line 32, immediately after the word "be" and
than that imposed by the state when so authorized by an act passed by at least two-thirds vote of the elected membership of each house of the legislature.

Read.

Delegate Perez sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Perez, Rayburn, Champagne, and Conroy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 17, line 8, after the word and punctuation “state,” and before the word “Local” insert the following:

“However, those who pay municipal occupational license taxes shall be exempt from parish occupational license taxes to the extent of the municipal tax.”

On motion of Delegate Perez the amendment was adopted.

Delegate Perez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 33 was read, as amended.

Delegate Perez moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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<tr>
<th>Delegates—</th>
<th>Fulco</th>
<th>Pugh</th>
</tr>
</thead>
<tbody>
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<td>Mr. Chairman</td>
<td>Gauthier</td>
<td>Rachal</td>
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<td>Rayburn</td>
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<td>Nunez</td>
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<tr>
<td>Fonteau</td>
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<td>Zervigon</td>
</tr>
<tr>
<td>Fowler</td>
<td>Planchar</td>
<td></td>
</tr>
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Total—104.

**NAYS**

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<tr>
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<th>Jenkins</th>
<th>O'Neill</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assel</td>
<td>Akers</td>
<td>Ourso</td>
</tr>
<tr>
<td>Total—3.</td>
<td>Perkins</td>
<td>Perkins</td>
</tr>
</tbody>
</table>

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Section 34. Local Governmental Subdivisions; Sales Tax Authorized**

Section 34, (A) Except as otherwise authorized in a home rule charter provided for in Sections 7 of this Article, local governmental subdivisions and school districts are authorized to levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption of tangible personal property, and on sales of services as defined by law. However, the rate thereof when combined with the rate of all other presently imposed or future sales and use taxes, exclusive of state sales and use taxes, levied and collected within any local governmental subdivision shall not exceed three percent.

(B) No tax authorized in Paragraph (A) of this Section shall become effective until a proposition for the imposition thereof is submitted to the electors of the affected local governmental subdivision and approved by a majority of the electors who vote in the election held for that purpose.

Read.

**Vice Chairman Casey in the Chair**

Delegate Lanier sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Lanier, Chatelain, and Kean to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 17, delete lines 13 through 32, both inclusive, in their entirety and on page 18, delete lines 1 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 34. Local Governmental Subdivisions and School Boards; Sales Tax Authorized; Limitations; Exemptions; Protection of Existing Sales Tax Authorizations and the Security of Outstanding Bonds

(A) Except as otherwise authorized in a home rule charter provided for in Section 7 of this Article, any local governmental subdivision or school board is authorized to levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption of tangible personal property, and on sales of services as defined by law, upon submission of a proposition for the imposition of such tax to the electors thereof and approval by a majority of the qualified electors who vote in an election held for that purpose. The rate thereof, when combined with the rate of all other presently imposed or future sales and use taxes, exclusive of state sales and use taxes, levied and collected within any local governmental subdivision, shall not exceed three percent; however, the legislature, upon a two-thirds vote of both houses thereof, may by general or special law, authorize the imposition of additional sales and use taxes by local governmental subdivisions or school boards, upon approval by the qualified electors thereof as herein provided. Nothing contained in this Section shall be construed to amend, repeal, or affect any special laws relative to the taxing powers of particular local governmental subdivisions, or school boards, any sales and use tax authorized or imposed on the effective date of this constitution or to affect or impair the security of any bonds payable from such tax.
Delegate Lanier moved the adoption of the amendment.

Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th></th>
<th>NAYS</th>
<th></th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
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<td>49</td>
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</tbody>
</table>

Delegate Burson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 17, line 13, after the word “Subdivisions” and before the semi-colon “;”, insert the following:

and School Boards

**AMENDMENT No. 2**

On page 17, at the end of line 17, delete the word “districts” and insert in lieu thereof the word “boards”

**AMENDMENT No. 3**

On page 17, line 30, between the word “subdivision” and the word “and” insert the following:

or school district!

**AMENDMENT No. 4**

On page 18, line 4, after the word “subdivision” and before the period “.”, add the following:

or school board

**AMENDMENT No. 5**

On page 18, line 9, after the word “subdivisions” and before the word “in” insert the following:

or school boards

On motion of Delegate Burson the amendments were adopted.

Delegate Burson moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

Delegate O'Neill sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate O'Neill to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 17, line 15, after “Section 34. (A)" delete the remainder of the line and delete line 16 in its entirety and at the beginning of line 17, delete "ele, local" and insert in lieu thereof the word "Local"

**AMENDMENT No. 2**

On page 17, line 26, after the word "percent" delete the period ";", and add the following:

or such other lesser percentage as may be provided in the home rule charter.

Delegate O'Neill moved the adoption of the amendments.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<td>Gering</td>
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</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 17, line 13, after the word “Subdivisions” and before the semi-colon “;”, insert the following:

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**Chairman Henry in the Chair**

Delegate O'Neill sent up floor amendments, which were read as follows:

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Amendments proposed by Delegate O'Neill to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

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**AMENDMENT No. 2**

On page 17, line 26, after the word "percent" delete the period ";", and add the following:

or such other lesser percentage as may be provided in the home rule charter.

Delegate O'Neill moved the adoption of the amendments.

Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
PAGE 10
79th Days Proceedings—November 6, 1973

Delegates—

<table>
<thead>
<tr>
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Total—65.

NOT VOTING

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<td>O’Neill</td>
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<tr>
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<td>Ourso</td>
</tr>
<tr>
<td>Jack</td>
<td>Total—28.</td>
</tr>
</tbody>
</table>

And the amendments were rejected.

Delegate Perez moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate O’Neill sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate O’Neill to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprint as engrossed proposal as follows:

AMENDMENT No. 1—

On page 18, line 7, after the word “legislature” delete the remainder of the line and insert in lieu thereof the following: “upon a two-thirds vote of the members of both houses, thereof, may be general or special law au.”

Delegate O’Neill moved the adoption of the amendment.

Delegate Conroy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
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<tbody>
<tr>
<td>Jenkins</td>
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<td>O’Neill</td>
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Total—10.

NAYS

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<tr>
<td>Goldman</td>
<td>O’Neill</td>
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<tr>
<td>Jack</td>
<td>Total—25.</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Perez, the Convention altered the Order of Business to take up other Orders of Business at this time.

PROPOSALS

Delegate Dennery, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 26—

Introduced by Delegate Rayburn, Chairman, on behalf of the Committee on Revenue, Finance and Taxation, and Delegates Alario, Brown, Chehardy, Edwards, Goldman, Mauberret, Mire, Nunez, Planchar, Slay, and Winchester:

A PROPOSAL

Making provisions for property taxation.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE XI. REVENUE AND FINANCE

Section 1. Assessment of Property; Classification; Asses-
Section 1. (A) All property subject to ad valorem taxation shall be classified on the assessment rolls in classes at its assessed valuation which shall be a percentage of its fair market value; such percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) The classifications of property subject to ad valorem taxation shall be based on the percentage of fair market value which shall be applicable to each such classification for the purpose of determining the assessed valuation are as follows:

CLASSIFICATIONS: PERCENTAGES:
1. All land .................................. 10%
2. Improvements for Residential Purposes .................................. 10%
3. All other property .................................. 15%

(C) Assessors shall determine the fair market value of all property subject to taxation within their respective parishes and districts except public service property which shall be valued at fair market value by the Louisiana Tax Commission. Fair market value and use value of property shall be determined in accordance with criteria which shall be established by the courts in accordance with procedures established by law.

(D) Bona fide agricultural, horticultural, marsh lands, and timber lands, as defined by general law, will be assessed at the percentage of use value rather than fair market value. The legislature may make similar provisions for buildings of historic architectural importance.

(E) Homesteads shall be exempt from ad valorem property taxation.

From state, parish, and special taxes, the bona fide homestead, consisting of a tract of land, or two or more tracts of land with a residence on one tract and a field, pasture, or garden on the other tract or tracts, not exceeding one thousand sixty acres, buildings and appurtenances, whether rural or urban, owned and occupied by any person, in the full amount of three thousand dollars of the assessed valuation; however, by the favorable vote of two-thirds of the elected members of the house, the legislature may increase this exemption to an amount which shall not exceed the full amount of five thousand dollars of the assessed valuation. Veterans of the armed forces of the United States who have been honorably discharged or separated from such service or who have been awarded or served in, said armed forces, as defined by general law, and persons sixty-five years or older shall be provided with a homestead exemption of five thousand dollars of the assessed valuation. No exemption shall extend to any municipal or city taxes except the following: (1) in Orleans Parish this exemption shall apply to the state, the general city, the school, the levee, and levee board taxes; and (2) to any municipal or city taxes levied for school purposes. The exemption of homesteads shall extend to the surviving spouse or minor child or children of a deceased owner and to the bona fide homestead when occupied as such and title thereto is in either husband or wife, but this exemption shall not be extended to more than one homestead owned by the husband or wife. Notwithstanding anything in this Constitution to the contrary, in order to provide equitable tax relief similar to that granted to homeowners through homestead property tax exemptions, the legislature may provide for tax relief to residential lessees in the form of credits or refunds.

(G) All property subject to taxation shall be reappraised and valued in accordance with the provisions of this Section at intervals of not more than four years.

Section 2. The rate of state taxation on property for all purposes shall not exceed, in any one year, five and three-quarter mills on the dollar of its assessed value.

Section 3. Other Property Exemptions

In addition to the homestead exemption provided for in Section 1 the following property shall be exempt from ad valorem taxation:

(A) All public lands; all other public property used for public purposes.

That owned by nonprofit corporations or associations organized and operated exclusively for religious, charitable, health, welfare, fraternal, or educational purposes, no part of the net earnings of which inure to the benefit of any private shareholder or member of such corporation or association, and which is exempt under Section 1973 of the Internal Revenue Code of 1954, or any amendment thereto, of the United States; property financed by mortgage on property located in Louisiana and the notes or other evidence thereof; real or personal property of bona fide labor organizations representing their members or affiliates in collective bargaining; corporations engaged in the promotion of trade, travel, and commerce, and trade, business, industry and professional societies or associations provided such property is owned by nonprofit corporations or associations organized under the laws of the state of Louisiana for such purposes; except property owned, operated, leased, or used for commercial purposes, unrelated to the exempt purposes of said corporation or association.

(D) Cash on hand or deposit, stocks and bonds, except that the value of stocks and bonds, the value of which is determined by the presence of the Louisiana Tax Commission; investments in life insurance companies; loans by homestead and loan associations to their members, if secured solely by stock of said associations; debts due for merchandise or other articles of commerce or for services rendered; obligations of the state and political subdivisions; all personal property used in the home or on loan in a public place; agricultural products owned by the producer, agricultural machinery and other implements used exclusively to promote the principal purpose of the business or property; and property belonging to agricultural fair associations; all property used for cultural, Mardi Gras carnival or civic activities and not operated for profit to the owners; all ships and oceangoing tugboats, towboats, and barges engaged in international trade and domiciled in Louisiana, but this exemption shall not extend to harbor, wharf, shed, and other port dues, and no vessel operated in the coastal trade of the continental United States shall be within the exemption.

(E) Any motor vehicle, regardless of ownership for transportation or commercial purposes used in Louisiana; any motor vehicle, including any towboat, used for gathering seafood for human consumption; and rights-of-way granted to the State Department of Highways.

(F) All motor vehicles operated on the public highways of this state, provided that this exemption shall not extend to any general or special tax levied by the governing authority of any municipality, or district created by any such municipality, unless the governing authority thereof shall provide for such exemption by ordinance or resolution.

(G) Notwithstanding any provision of this Section to the contrary, the legislature may provide for the exemption from property taxation of any new manufacturing establishment or an addition or additions to any manufacturing establishment already existing in this state.

No exemption granted under the authority of such laws as may be enacted pursuant to this Section shall extend for a longer initial period than five calendar years, or be renewable for an additional period in excess of five additional calendar years.

(G) All raw materials, goods, commodities, and articles imported into this state from outside of the continental United States:

(a) So long as such imports remain upon the public property, and the port authority, or docks of any common carrier where such imports first entered this state; or

(b) So long as such imports (other than minerals and ores of the same kind as any mined or produced in this state) arrive in this state and are conveyed by a common carrier in the original form in bales, sacks, barrels, boxes, cartons, containers, or other original packages, and raw materials held in bulk as all or a part of the new material inventory
of manufacturers or processors, solely for manufacturing or processing; or

(c) So long as any such imports are held by an importer in any public or private storage in the original form in bales, sacks, barrels, boxes, cartons, or other containers, or out of such packages and agricultural or manufactured products in bulk, this shall not apply to a retail merchant holding such imports as part of his stock-in-trade for sale at retail.

(2) All raw materials goods, commodities, and other articles of incorporation and distribution of a port authority or docks of any common carrier or in a warehouse, grain elevator, dock, wharf, or public storage facility in this state for export to a point outside the continental United States.

(3) All goods, commodities, and personal property in public or private storage which are in transit such as trains, vessels, and similar means of transportation.

Proceedings—November 6, 1973

1973 This shall not be construed as applying to any public or private storage within the State of Louisiana having been shipped thence from outside of the State of Louisiana, whether such destination was specified when transportation begins or afterward.

All such property described in this Paragraph (C) whether entered or held under the public property or other duties collected authorized prior to the adoption of this constitution.

Section 5. Adjustment of Ad Valorem Tax Millages

Section 5. Prior to the end of the third year after the effective date of the constitution, the assessors and the Legislative Commission shall determine the market value or value of all property subject to taxation within the respective parishes to be used for the purpose of implementing the provisions of this Article. Except as hereinafter provided in this Paragraph, the total amount of ad valorem taxes levied by any taxing authority in the year in which the provisions of this Article are implemented shall not be increased or decreased because of the provisions of this Article above or below ad valorem taxes collected in such taxing authority's prior fiscal year, the provisions of this Article are implemented. To accomplish this result, it shall be the mandatory duty of each affected taxing authority, in the year in which the provisions of this Article are implemented, to reduce millages upward or downward, without regard to millage limitations contained in this constitution; however, whenever at the time the adjustment is made the millage actually levied by a taxing authority is less than or equal to the maximum authorized to be levied, the maximum millage so authorized shall be increased or decreased, without further voter approval, in proportion to the amount of the adjustment upward or downward. Such millages shall thereafter remain in effect subject to such changes as may be permitted by this constitution. Nothing provided herein shall be so construed as to authorize taxes not authorized by law, either as to the rate levied by taxing authority from collecting, in the year in which the provisions of this Article are implemented or in any subsequent year, a larger dollar amount of ad valorem taxes by means of the following provisions: (a) by increasing additional the provisions of this Article for the payment of general obligation bonds. This Section shall not apply to millages required to be levied for the payment of general obligation bonds.

Section 6. Revenue Sharing Fund: Distribution: Pledge of Proceeds

Section 6. (A) A special fund is created in the state treasury to be known as the Revenue Sharing Fund. The legislature may appropriate additional sums to the Revenue Sharing Fund.

(B) There is hereby allocated annually from the State General Fund to the Revenue Sharing Fund the sum of ninety million dollars. The legislature may appropriate additional sums to the Revenue Sharing Fund.

(C) The Revenue Sharing Fund shall be distributed annually as provided by the legislature solely on the basis of population and the number of homesteads in each parish in proportion to population and the number of homesteads throughout the state. Unless the legislature provides otherwise, population statistics of the last federal decennial census shall be utilized for this purpose.

(D) To each parish as provided in Paragraph (C) shall be distributed by the city treasurer of the city of New Orleans and in all other parishes by the parish tax collector. The funds allocated to the Monroe City School Board, or its successor, the parish tax collector, or the successor of the city of Monroe. After deductions, in each parish, for retirement and commissions as authorized by law, the remaining funds, to the extent available, by first priority be distributed within the parish according to the tax law, within the parish to offset current losses because of homestead exemptions granted in this Article. Any balance remaining in any parish distribution shall be allocated to the municipalities and tax recipient bodies within the parish.

(E) Any political subdivision, as defined by Article VI of this constitution, may incur debt by the issuance of negotiable bonds, and may pledge for the payment of all or any portion of the interest and proceeds derived or to be derived from that portion of the funds received by it from the Revenue Sharing Fund, as provided in Paragraph (D) of this Section, to offset current losses caused by homestead exemptions granted in this Article. Unless otherwise provided by law, no portion of any moneys allocated within any parish out of any balance remaining in any parish distribution, as provided in Paragraph (D) hereof, may be pledged to the payment of the principal or interest of any bonds. These bonds shall be issued and sold as provided by law, and shall require the approval of the State Bond Commission, or its successor, prior to issuance and sale.

Section 8. Tax Assessor

Section 8. (A) There shall be a tax assessor elected by the qualified electors in each parish, the state, parish of Orleans excepted. His term of office shall be four years and the legislature shall define his duties, fix his compensation, and provide for his election.

(B) There shall be seven assessors in the city of New Orleans, who together shall constitute the Board of Assessors for the parish of Orleans. One shall be elected from each municipal district of the city of New Orleans, and they shall be the residents of the districts from which they are elected. Their terms shall be four years and they shall be elected by the qualified electors in each district at the same time as the municipal officers of the city of New Orleans.

(C) When a vacancy occurs in the office of tax assessor the duties of the office, until it is filled by election as provided by law, shall be assumed by the chief deputy tax assessor. In the parish of Orleans, the Board of Assessors for the parish of Orleans shall also act as the interim assessor.

Section 9. Tax Sales: Redemption of Property

Section 9. There shall be no forfeiture of property for the nonpayment of taxes, but at the expiration of the year in which said taxes are due the collector shall, without sale, after giving notice to the delinquent in the manner provided by law, advertise for sale in the official Journal of the parish or municipality, provided there be an official Journal of such parish or municipality; or, if not, the property on which the taxes are due in the manner provided for judicial sales, and on the day of sale he shall sell such portion of the property as the debtor shall point out and in case the debtor shall not point out any, add such as one with further delay, sell the least quantity of property which any bidder will buy for the amount of taxes, interest and costs. The sale shall be without appraisement and the property shall be sold subject to a redemption by the owner, during three years from date of recordation of the tax sale, by paying the price given, including costs and five per cent penalty thereon, with interest at the rate of one per cent per month until redeemed. No judgment annulling a tax sale shall have effect until the price and all taxes and interest paid at date of respective
payments, be previously paid to the purchaser; provided, this shall not apply to sales annulled on account of taxes having been paid prior to the date of sale, all deeds of sale made, or that may be made, by the collectors of taxes, shall be received by courts in evidence as prima facie valid sales.

No sale of property for taxes shall be set aside for any cause, except on proof of payment of the taxes for which the property was sold prior to the date of the sale, unless the proceeding to annul is instituted within six months from service of notice of sale, which notice shall not be served until the time of redemption shall have expired and within five years from the date of the recordation of the tax deed, if no notice is given. The fact that taxes were paid on a part of the property sold, prior to the sale thereof, of that part thereof was not subject to taxation, shall not be cause for annulling the sale as to any part thereof on which the taxes for which it was sold were due and unpaid.

The manner of notice and form of proceeding to quiet tax titles shall be provided by law. Taxes on movables shall be collected by seizure and sale by the tax collector of the movable property of the delinquent, whether it be the property assessed or not, sufficient to pay the tax. Sale of such property shall be made at public auction, without appraisement, after ten days advertisement, made within ten days from date of seizure, and shall be absolute and without redemption.

If the tax collector can find no corporeal movables of the delinquent to seize, he may levy on incorporeal rights, by notifying the debtor thereof, or he may proceed by summary rule in the courts to compel the delinquents to deliver up for sale property in his possession or under his control.

The legislature shall be authorized to postpone the payment of taxes, only in cases of overflow, general conflagration, general destruction of crops, or other public calamity, and may provide for the levying, assessing and collecting such postponed taxes under appropriate terms and conditions. In such cases the legislature may authorize the bor-
EIGHTIETH DAY’S PROCEEDINGS

of the Constitutional Convention of 1973
of the State of Louisiana

ROLL CALL

The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Anzalone
Arnette
Asseff
Avant
Badeaux
Bergeron
Blair
Bollinger
Breid
Brown
Burns
Buson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Blieux
Dennery
Dennis
Derbes
Deshels
Drew
Dunlap
Duval
Edward
Elkins
Fayard
Flory
Fontenot

Fowler
Fuico
Gauthier
Giarrusso
Ginnen
Goldman
Graham
Gravel
Griebert
Guarisco
Hardee
Hayes
Haynes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kelly
Kiblourne
Kilpatrick
Lambert
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlue
Leigh
Leitman
Lowe
McDaniel
Martin
Mauberret
Maybuce
Mire
Morris
Newton
Nunez
O’Neill

Oursu
Perez
Perkins
Planchard
Pugh
Rachal
Rayburn
Reeves
Riecke
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singletary
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thompson
Tobias
Toca
Tecmy
Ulo
Velasquez
Veisich
Vick
Wall
Warren
Wattigny
Wills
Winchester
Wicham
Womack
Zervigon

ABSENT

Delegates—
Alexander
Bel
Keen

Miller
Munson
Slay

Smith
Thistlethwaite
Weiss

The Chairman announced that there were 122 members present and a quorum.

Prayer

Prayer was offered by Delegate Heine.

Pledge of Allegiance

Delegate Rachal led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Newton, the reading of the Journal was dispensed with.

On motion of Delegate Newton, the Journal of yesterday was adopted.

Regular Hour

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Buson, Cannon, Chatelain, Conino, D’Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Tomney, Ulo, and Zervigon: A PROPOSAL,

Making general provisions for local and parochial government, levies districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Read.

Section 34. Local Governmental Subdivisions: Sales Tax Authorized

Section 34. (A) Except as otherwise authorized in a home rule charter provided for in Sections 7 of this Article, local governmental subdivisions and school districts are authorized to levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption and storage for use or consumption of tangible personal property, and on sales of services, as defined by law. However, the rate thereof when combined with the rate of all other presently imposed or future sales and use taxes, exclusive of state sales and use taxes, levied and collected within any local governmental subdivision shall not exceed three percent.

(B) No tax authorized in Paragraph (A) of this Section shall become effective until a proposition for the imposition thereof is submitted to the electors of the affected local governmental subdivision and approved by a majority of the electors who vote in the election held for that purpose.

(C) The legislature shall have the authority by general law to exempt or exclude any goods or tangible personal property or services from any sales and use tax levied by a local governmental subdivision. However, such exemptions or exclusions shall also apply to state sales and use taxes.

(D) The legislature by general or special law may authorize the imposition of additional sales and use taxes by local governmental subdivisions in excess of that provided in paragraph (A) of this Section, provided that such taxes are approved by the electors of the local governmental subdivision as provided in paragraph (B) of this Section.

(E) Nothing contained in this Section shall be construed to repeal or affect any sales and use tax authorized or imposed by any municipality, parish, or school board as provided by law or a home rule charter or plan of government on the effective date of this constitution.

Read.

The chairman announced that the Convention had under consideration Committee Proposal No. 17, Section 34, when it adjourned on Tuesday, November 6, 1973, which was taken up and acted upon as follows:

Delegate Lanier sent up a floor amendment, which was read as follows:
80th Days Proceedings—November 7, 1973

FLOOR AMENDMENT

Amendment proposed by Delegates Lanier, Chatelain, Pugh, A. Landry, Juneau, Bollinger, Carmouche, Conino, Riceke, E. Landry, Wattigny, Corne and Zervignon to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1

On page 17, delete lines 13 through 32, both inclusive, in their entirety and on page 18, delete lines 1 through 18, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 34. Local Governmental Subdivisions and School Boards; Sales Tax Authorized; Limitations; Exemptions; Protection of Existing Sales Tax Authorizations and the Security of Outstanding Bonds

(A) Except as otherwise authorized in a home rule charter as provided for in Section 7 of this Article, any local governmental subdivision or school board may levy and collect a tax upon the sale at retail, the use, the lease or rental, the consumption and storage for use of tangible personal property and on sales of services as defined by law if approved by a majority of the electors who vote in an election held for that purpose. The rate thereof, when combined with the rate of all other presently imposed or future sales and use taxes, exclusive of state sales and use taxes, levied and collected within any local governmental subdivision, shall not exceed three percent; however, the legislature may by general or special law, authorize the imposition of additional sales and use taxes by local governmental subdivisions or school boards, upon approval by the electors thereof as herein provided. Nothing contained in this Subsection shall be construed to affect any sales or use tax authorized or imposed on the effective date of this constitution or to affect or impair the security of any bonds payable from such tax.

(B) Except where bonds in connection therewith have been authorized, the legislature may uniformly exempt or exclude any goods, tangible personal property, or services from sales or use taxes levied by local governmental subdivisions, school boards, and the state.

Delegate Lanier moved the adoption of the amendment.

Delegate Flory objected.

By a vote of 80 yeas and 19 nays the amendment was adopted.

Delegate Lanier moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 34 was read, as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Aertker
Alario
Badeaux
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Cannon
Carmouche
Casey
Champagne
Chatelain

Chehardy
Comar
Conino
Corne
Cown
D'Gerolamo
Denunny
Dennis
Derbes
Drew
Duval
Elkins
Fowler
Gauthier
Girarruso

Goldman
Graham
Gravel
Hardce
Hayes
Haynes
Heiner
Hernandez
Jack
Jackson, A.
Juneau
Kilbourne
Lambert
Landrum
Lawy

AMENDMENT

Planchard
Pugh
Rachal
Rayburn
Reeves
Riecke
Schmitt
Soniad
Stagg
Stephenson
Stovall
Sutherland
Tate

Landry, E. J.
LeBlieu
Leigh
Leidman
Lowe
McDaniel
Martin
Morris
Newtont
Nunez
Perez,
DeBlieux
Perkins

Thompson
Tobias
Toca
Toomy
Ull
Velazquez
Vesich
Vick
Wattigny
Willie
Winchester
Womack
Zervignon

NAYS

Delegates—

Asseff
Avant
Conroy
DeBlieux

Total—87.

Yeas

Delegates—

Guarisco
Kean
Kilpatrick
Maubrert
Mayberry
Miller
Mire
Munson
O'Neill
Ourso
Roy

Ginn

Total—33.

No. 1

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 35. Political Subdivisions; Taxing Power; Limitations

Section 35. Political subdivisions may exercise the power of taxation, subject to such limitations as may be elsewhere provided in the constitution, under authority granted to them by the legislature for parish, municipal, and local purposes, strictly public in their nature. The provisions of this Section shall not apply to, nor affect, similar grants to such political subdivisions under other sections of this constitution which are self-operative.

Read.

Passage

Committee Proposal No. 17, Section 35 was read.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Aertker
Alario
Badeaux
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Cannon
Carmouche
Casey
Champagne
Chatelain

Conino
Corne
Cown
D'Gerolamo
Denunny
Dennis
Derbes
Drew
Duval
Elkins
Flory
Fontenot
Fowler
Gauthier
Girarruso

Ginn
Goldman
Graham
Gravel
Grier
Hardee
Hayes
Haynes
Heiner
Hernandez
Jack
Jackson, A.
Juneau
Kelly
Kilpatrick
Lambert
80th Days Proceedings—November 7, 1973

Perkins—Thompson
Planchar—Tobias
Rachal—Toca
Rayburn—Ulo
Reeves—Velasquez
Rieke—Vesich
Schmitt—Vick
Segura—Wall
Shannon—Warren
Soniat—Wattigny
Stagg—Willis
Stephenson—Winchester
Stovall—Wisam
Sutherland—Womack
Tate—Zervigon

Delegates—Jenkins
Singletary
Stinson

Total—4.

NOT VOTING

Delegates—Alexander
Fayard—Roy
Guarisco—Sandoz
Kean—Slay
Miller—Smith
Mire—Tapper
Monson—Thistletwaite
O'Neill—Weiss
Orsso—Pugh

Total—25.

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 36. Special Taxes; Ratified

Section 36. (A) Any special tax being levied by any political subdivision under prior laws or under the 1921 Louisiana Constitution, as amended, when this constitution is adopted is hereby confirmed and ratified.

(B) For the purpose of acquiring, constructing, improving, maintaining and operating any work of public improvement, any political subdivision may levy special taxes when authorized by a majority of the electors who vote in an election held for that purpose.

Read.

Delegate Toomy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Toomy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—On page 18, line 5, after the word "electors" and before the word "the" insert the words "in the political subdivision"

On motion of Delegate Toomy, the amendment was adopted.

Delegate Toomy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 36 was read, as amended.

Delegate Perez moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—Mr. Chairman
Gauthier—Pererez
Abrahm—Giarussaro
Aecker—Ginn
Alario—Goldman
Asseff—Grande
Avant—Gravel
Badeaux—Grier
Bergeron—Hardee
Blair—Hayes
Bollinger—Haynes
Barrie—Heine
Brown—Hernandez
Burse—Jack
Burson—Jackson, A.
Cannon—Jackson, J.
Carmouche—Kelly
Casey—Kilbourne
Champagne—Kilpatrick
Chatelain—Lambert
Chenard—Landrum
Comar—Landry, A.
Comino—Landry, E. J.
Conroy—Lanier
Corne—LeBlu
Cowen—LeBlu
D'Gerolamo—LeBlu
De Bieux—LeBlu
Denney—Lanier
Derbes—LeBlu
Drew—LeBlu
Duval—LeBlu
Elkins—LeBlu
Fontenot—Newton
Fowler—Nunez
Fulco—Nunez

Total—105.

Delegates—Flory
Jenkins—O'Neil

Total—3.

NOT VOTING

Delegates—Alexander
Fayard—Sandoz
Guarisco—Slay
Juncar—Smith
Kean—Blow
Mire—Tapper
Monson—Thistletwaite
O'Neill—Weiss
Orsso—Roy

Total—23.

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 37. Political Subdivisions; Exclusive Authority to Levy and Collect Ad Valorem Taxes

Section 37. Notwithstanding any provision contained in this constitution in the contrary, the power of taxation shall not be exercised by the legislature to levy an ad valorem tax upon any property in the state, and such power shall be exclusively vested in political subdivisions to be exercised as provided in this constitution.

Read.

Delegate Conroy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Conroy, Mire, Roemer, Rayburn, Lowe, Newton, Martin, Winchester, Plantchard, De Bieux, Goldman, Badeaux, Alario, Slay, Brown, J. Smith,
and Edwards to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 19, delete lines 7 through 14, both inclusive, in their entirety

Delegate Conroy moved the adoption of the amendment.

Delegate Asseff objected.

By a vote of 98 yeas and 9 nays the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 38. Bonds of Political Subdivisions; General Obligations

Section 38. The full faith and credit of every political subdivision is hereby pledged to the payment of general obligation bonds issued by it under this constitution or the terms of the statute or proceedings pursuant to which they are issued. The governing authority of the issuing political subdivision shall levy and collect or cause to be levied and collected on all taxable property in the political subdivision ad valorem taxes sufficient to pay principal and interest and redemption premiums, if any, on such bonds as they mature.

Read.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Mr. Chairman
Abraham
Aetker
Alario
Asseff
Avant
Badeaux
Bergeron
Blair
Boilinger
Brown
Burns
Buron
Cannon
Carmouche
Casey
Chapman
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowan
D’Gerolamo
De Bileux
Deeney
Dennis
Derbes
Drew
Duval
Elkins
Flory
Fontenot
Fowler

Fulco
Gauthier
Giarrusso
Goldman
Graham
Gravel
Grier
Hardee
Hayes
Haynes
Ibea
Ibou
Jackson, A.
Jenkins
Jenque
Kelly
Kibourne
Kilpatrick
Landrum
Landry, A.
Landry, E. J.
Lanier
LeBlanc
LeBlanc
LeBlanc
LeBlanc
LeBlanc
Lowé
McDaniel
Martineau
Maubretet
Maybux
Mire
Morris
Newton
Nunez
O’Neill
Perez
Perkins
Planchar
Pugh
Rachal
Rayburn
Reeves
Riecke
Roemer
Schmitt
Segura
Shannon
Singletary
Soniat
Stagg
Stephenson
Stinson
Sutherland
Tate
Thompson
Tobias
Toca
Toomy
Ulio
Velasquez
Vesci
Vick
Wall
Warren
Wattigny
Willis
Winchester
Wisham
Womack
Zervigon

Total—107.

NAYS

Delegates—

Alexander
Anzalone
Arnette
Bel
Deshotels
Dunlap
Edwards
Payard

Ginn
Guarisco
Jackson, J.
Keen
Lambert
Miller
Monson
Ousso

Roy
Sandoz
Slay
Smith
Stovall
Tapper
Thistlethwaite
Weiss

Total—24.

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 39. Taxpayer Authorization of Political Subdivision Bonds

Section 39. Subject to the approval of the State Bond Commission or any successor thereto, general obligation bonds may be issued only after authorization by a vote of a majority of the electors who vote on the proposition at an election in the political subdivision issuing such bonds. Refunding bonds, even though payable solely from ad valorem taxes, now be so authorized at an election if the indebtedness refunded is paid or cancelled at the time of the delivery of the refunding bonds, or if money, or securities made eligible for such purpose by law, are deposited in escrow in an adequate amount, with interest, to be utilized solely for the purpose of retiring the refunded indebtedness or bonds and paying interest thereon and redemption premiums, if any, to the time of retirement.

Read.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 20, at the end of line 1, delete the partial word “Re-” and at the beginning of line 2, delete the words “funding bonds” and insert in lieu thereof the following: “Bonds to refund outstanding indebtedness at a lower effective rate of interest”

On motion of Delegate Conroy the amendment was withdrawn.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 20, at the end of line 1, delete the partial word “Re-” and at the beginning of line 2, delete the words “funding bonds” and insert in lieu thereof the following: “Bonds to refund outstanding indebtedness at the same or at a lower effective rate of interest”

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 39 was read, as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

Total—0.
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Delegates—
Mr. Chairman—Fulco
Abraham—Gauthier
Aertker—Giarusso
Alario—Goldman
Aseiff—Graham
Avant—Griev
Badeaux—Grier
Bergeron—Griev
Blair—Hayes
Bollinger—Haynes
Brien—Heine
Burns—Hernandez
Burston—Jack
Cannon—Jackson, A.
Carmouche—Juneau
Casey—Kilbourne
Champagne—Kilpatrick
Chateland—Lambert
Chehardy—Landrum
Comar—Landry, A.
Comino—Landry, E. J.
Conroy—Lanier
Corne—LeBleu
Cowan—Leigh
D’Gerolamo—Leithman
De Bilieux—Lover
Denner—McDaniel
Dennis—Martin
Derbes—Maubert
Drew—Maybuce
Dunlap—Mire
Duval—Mori
Elkins—Newton
Flory—Nunez
Fontenot—Perez
Fowler—Perkins
Total—106.

NAYS
Delegates—
Brown—Kelly
Jenkins—O’Neill
Total—5.

NOT VOTING
Delegates—
Alexander—Ginn
Anzalone—Guarisco
Arnette—Jackson, J.
Bel—Kemp
Deshoteils—Miller
Edwards—Manson
Fayard—Orso
Total—20.

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 40. Limitations on Bonded Indebtedness of Political Subdivisions
Section 40. (A) General obligation bonds may be issued by any political subdivision for any single purpose which, including the existing bonds of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the total value of all property within such subdivision purposes for assessment purposes, including property exempt as homesteads, to be assessed by the last such valuation for political subdivision purposes previous to incurring such indebtedness except that: (1) as to both parishwide school districts and other school districts, the limitation shall be twenty-five percent of the total value of all property within such district valued for assessment purposes as aforesaid; and

(2) as to general obligation industrial development bonds, such limitation shall be twenty percent of the total value of all property within the political subdivision valued for assessment purposes as aforesaid.

(B) Any municipality financing and operating its own schools and not located within a parishwide or other school district shall be regarded as and treated on the same basis for the purpose of debt limitation and shall have the same authority for all purposes of this Section as though it were such a school district.

(C) The legislature may increase the debt limitations established in this Section by general law or by local or special law passed by a two-thirds vote of the elected membership of each house.

(D) Bonds and other debt obligations payable from assessment taxes, sales and use taxes, excess revenues, special assessments, or other special revenues shall not be considered to be bonds payable solely from ad valorem taxes for all purposes of this Section.

Read.

On motion of Delegate Perez action on the above Section was deferred at this time.

Vice Chairman Casey in the Chair

Section 41. Limited Time for Contesting Bonds of Political Subdivisions
Section 41. (A) For a period of sixty days from the promulgation of the result of any election held for the purpose of incurring or assuming debt, issuing bonds, or levying a tax, any person in interest shall have the right to contest the legality of such election, the bond issue authorized, or the tax authorized, for any cause after which time no one shall have any cause or right of action to contest the regularity, formality, or legality of said election, tax provisions, or bond authorization, or any clause, phrase, or other matter in the bond issue authorized or provided for, held under the provisions of this Section, is not raised within the sixty days herein prescribed, the authority to incur or assume debt, levy the tax, or issue the bonds, the legality thereof, and the taxes and other revenues necessary to pay the same shall be conclusively presumed to be valid, and no court shall have authority to inquire into such matters.

(B) Any ordinance or resolution authorizing the issuance of bonds or other debt obligation by a political subdivision shall be published at least once in the official journal of the political subdivision, or if there is none, then in a newspaper having general circulation therein. For a period of thirty days from the date of the publication any person in interest may contest the legality of the ordinance or resolution, the bonds or other debt obligation authorized thereby, and of any provision therein made for the security and payment of the bonds. After this time, no one shall have any cause or right of action to contest the regularity, formality, legality, or effectiveness of the ordinance or resolution, bonds, or other debt obligation, and provisions thereof for any cause whatever; and after this time it shall be conclusively presumed that every legal requirement for issuance of the bonds or other debt obligation, including all things pertaining to the election, if any, at which the bonds or other debt obligation were authorized, has been complied with, and no court shall have authority to inquire into any such matters after the lapse of this thirty days.

Read.

On motion of Delegate Perez action was deferred on the above Section at this time.

Section 42. Local Improvement Assessments
Section 42. (A) The legislature shall provide by general law or by local or special law the procedures by which political subdivisions may collect local or special assessments on real property, for the purpose of acquiring, constructing, or improving works of public improvement.

(B) Certificates of indebtedness may be issued to cover the cost of any such public improvement which shall be secured by the pledge of the local or special assessments levied therefor, and may be further secured by the pledge of the full faith and credit of the political subdivision.

(C) The governing authority of the political subdivision issuing certificates of indebtedness payable from sources other than ad valorem taxes, and pledging its full faith and
credit to the prompt payment of the principal and interest thereof, shall levy or cause to be levied on all taxable property in the political subdivisions at ad valorem taxes, without limitation as to rate or amount, fully sufficient to make up any deficit in the other sources of revenue pledged to the payment of the certificates.

Read.

Delegate Conroy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Conroy to Committee Proposal No. 1 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 22, delete line 32, and on page 23, delete lines 1 through 8, both inclusive, in their entirety.

On motion of Delegate Conroy the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Burson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 22 between lines 31 and 32 insert the following:

"(C) The provisions of this Section shall not apply to school boards."

On motion of Delegate Burson the amendment was adopted.

Delegate Burson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section No. 42 was read, as amended.

Delegate Perez moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate Perez moved to reconsider the vote by which the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 43. Revenue-Producing Property

Section 43. The legislature may authorize political subdivisions to issue bonds or other debt obligations for the purpose of constructing, acquiring, extending, or improving any revenue-producing public utility. The bonds or other debt obligations may be secured by mortgage on the lands, buildings, machinery, and equipment of the public utility and shall not be a charge upon the other income and revenues of the political subdivision.

Read.

Delegate Burson sent up floor amendments, which were read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Burson to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 23, line 10, after "Section 43," and before the word "The" insert "(A)"

**AMENDMENT No. 2**

On page 23, between lines 18 and 19, insert the following:

"(B) The provisions of this Section shall not apply to school boards."

On motion of Delegate Burson the amendments were adopted.

Delegate Burson moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 17, Section 43 was read.

Delegate Toomy moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegate Perez moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**
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Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Conin
Conroy
Corne
Coven
D'Gerolamo
DeBlieux
Denney
Dennis
Derbes
Drew
Dunlap
Duval
Elkins
Flory
Fontenot
Fowler
Fulco
Gauthier
Giarrusso
Goldman
Total—105.

NAYS

Delegates—
Mr. Chairman
Alexander
Arzaloe
Bed
Brown
Comar
Deshotels
Edwards
Fayard
Ginn
Jack
Jackson, J.
Jenkins
Kein
Leithman
Miller
Monson
O'Neill
Ours
Rayburn
Roy
Slay
Smith
Thistledthwaite
Weiss
Womack

Total—26.

And the Chair declared that the above Section was finally passed.

Motion

On motion of Delegate Perez Committee Proposal No. 17, Section 41, upon which action was deferred on November 4, 1973, was taken up out of its regular order and acted upon as follows:

Section 41. Limited Time for Contesting Bonds of Political Subdivisions

Section 41. (A) For a period of sixty days from the promulgation of the result of any election held for the purpose of incurring or assuming bonds, issuing bonds, or levying a tax, any person in interest shall have the right to contest the legality of such election, the bond issue provided for, or the tax authorized, for any cause after which time no one shall have any cause of right of action to contest the regularity, formality, or legality of said election, tax provisions, or bond authorization, for any cause whatsoever. If the validity of any election, tax, debt assumption, or bond issue authorized or provided for, held under the provisions of this Section, is not raised within the sixty days herein prescribed, the authority to incur or assume debt, levy the tax, or issue the bonds, the legality thereof, and the taxes and other revenues necessary to pay the same shall be conclusively presumed to be valid, and no court shall have authority to inquire into such matters.

(B) Every ordinance or resolution authorizing the issuance of bonds or other debt obligation by a political subdivision shall be published at least once in each official newspaper of the political subdivision, or if there is none, then in a newspaper having general circulation therein. For a period of thirty days from the date of the publication, any person in interest may contest the legality of the ordinance or resolution, the bond issue or other debt obligation authorized thereby, and of any provision therein made for the security and payment of the bonds. After this time, no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution, bonds, or other debt obligation, and provisions thereof for any cause whatever; and after this time it shall be conclusively presumed that every legal requirement for the issuance of the bonds or other debt obligation, including all things pertaining to the election, if any, at which the bonds or other debt obligation were authorized, has been complied with, and no court shall have authority to inquire into any such matters after the lapse of this thirty days.

Read.

Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Avant to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

ANENDMENT No. 1—

On page 21, delete lines 21 through 32, both inclusive, in their entirety, and on page 22, delete lines 1 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"tax authorized, for any cause, except for violation of rights guaranteed by this constitution, for which cause the period shall be one year, after which periods no one shall have any cause or right of action to contest the regularity, formality, or legality of said election, tax provisions, or bond authorization, for any cause whatsoever. If the validity of any election, tax, debt assumption, or bond issue authorized or provided for, held under the provisions of this Section, is not raised within the sixty days or one year, as herein prescribed, the authority to incur or assume debt, levy the tax, or issue the bonds, the legality thereof, and the taxes and other revenues necessary to pay the same shall be conclusively presumed to be valid, and no court shall have authority to inquire into such matters.

(B) Every ordinance or resolution authorizing the issuance of bonds or other debt obligation by a political subdivision shall be published at least once in each official journal of the political subdivision, or if there is none, then in a newspaper having general circulation therein. For a period of thirty days from the date of the publication any person in interest may contest the legality of the ordinance or resolution, the bond issue or other debt obligation authorized thereby, and of any provision therein made for the security and payment of the bonds, except for violation of rights guaranteed by this constitution, for which cause the period shall be one year. After these periods of time no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution, bonds, or other debt obligation, and provisions thereof for any cause whatever; and after these periods of time it shall be conclusively presumed that every legal requirement for the issuance of the bonds or other debt obligation, including all things pertaining to the election, if any, at which the bonds or other debt obligation were authorized, has been complied with, and no court shall have authority to inquire into any such matters after the lapse of said periods of time."

Delegate Avant moved the adoption of the amendment.

Delegate Perez objected.

By a vote of 10 yeas and 98 nays the amendment was rejected.

Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Leigh sent up floor amendments, which were read as follows:
FLOOR AMENDMENTS

Amendments proposed by Delegate Leigh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 22, line 8, after the word "resolution" delete the comma "", and the remainder of the line in its entirety and on line 9, at the beginning of the line, delete the word and punctuation "thereby."

AMENDMENT No. 2—
On page 22, line 13, at the beginning of the line, delete the words and punctuation "bonds, or other debt obligation."

On motion of Delegate Leigh the amendments were adopted.

Delegate Leigh moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 17, Section 41 was read, as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates-

Dennis
Deshots
Edwards
Ginn
Jack
Jackson, J.

Total—23.

And the Chair declared that the above Section was finally passed.

Motion

On motion of Delegate Perez Committee Proposal No. 17, Section 40, upon which action was deferred on November 7, 1973, was taken up and acted upon as follows:

SECTION 40. Limitations on Bonded Indebtedness of Political Subdivisions

Section 40. (A) General obligation bonds may be issued by any political subdivision for any single purpose which, including the existing bonds of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the total value of all property within such subdivision valued for assessment purposes, including property exempt as homesteads, to be ascertained by the last such valuation for political subdivision purposes previous to incurring such indebtedness, except that: (1) as to both parishwide school districts and other school districts, the limitation shall be twenty-five percent of the total value of all property within such district valued for assessment purposes as aforesaid; and (2) as to general obligation industrial development bonds, such limitation shall be twenty percent of the total value of all property within the political subdivision valued for assessment purposes as aforesaid.

(B) Any municipality financing and operating its own schools and not located within a parishwide or other school district shall be regarded as and treated on the same basis for the purpose of debt limitation and shall have the same authority for all purposes of this Section as though it were such a school district.

(C) The legislature may increase the debt limitations established in this Section by general law or by local or special law passed by a two-thirds vote of the elected membership of each house.

(D) Bonds and other debt obligations payable from assessment taxes, sales and use taxes, excess revenues, special assessments, or other special revenues shall not be considered to be bonds payable solely from ad valorem taxes for all purposes of this Section.

Read.

Delegate Roemer sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Roemer, Linier, Kelly and Lowe to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 20, delete lines 13 through 32, both inclusive, in their entirety and on page 21, delete lines 1 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 40. (A) General Obligation bonds may be issued by any political subdivision for all purposes which, including the existing bonds of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the fair market value or use value as applicable to property within the taxing district."

(B) The legislature may increase the debt limitations established in this Section by general law or by local or special law passed by a two-thirds vote of the elected membership of each house."

On motion of Delegate Roemer the amendment was withdrawn.
Motion

Delegate Perez moved that the Convention resolve itself into a Committee of the Whole for a period not to exceed a period of 30 minutes in order to hear testimony from Mr. Fred Benton, Jr.

Delegate Rayburn objected.

By a vote of 73 yeas and 26 nays, the Convention resolved itself into a Committee of the Whole for a period not to exceed 30 minutes for the purpose of hearing testimony from Mr. Fred Benton, Jr.

Vice-Chairman Ray in the Chair

The Committee Rose.

Convention Business Resumed

Chairman Henry in the Chair

Delegate Morris sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Morris and Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 20, line 14, immediately after the word “purpose” insert a period “.” and delete the word “which” and delete lines 15, 16 and 17 in their entirety and insert in lieu thereof the following:

“The aggregate of all indebtedness of such political subdivisions, incurred for such purpose and evidenced by bonds payable solely from ad valorem taxes levied without limitation as to rate or amount.”

On motion of Delegate Leigh the amendment was adopted.

Delegate Leigh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Schmitt to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 20, line 14, immediately after the word “purpose” insert a period “.” and delete the word “which” and delete lines 15, 16 and 17 in their entirety and insert in lieu thereof the following:

“The aggregate of all indebtedness of such political subdivisions, incurred for such purpose and evidenced by bonds payable solely from ad valorem taxes levied without limitation as to rate or amount.”

On motion of Delegate Leigh the amendment was adopted.

Delegate Leigh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Pugh and Abraham to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 20, at the end of line 18, after the words “of the” delete the word “total” and delete lines 19 and 20 in their entirety and at the beginning of line 21, delete the partial word and punctuation “steads,” and insert in lieu thereof the following:

“assessed valuation of all property within such subdivision.”

AMENDMENT No. 2—

On page 20, line 25, after the words “of the” delete the remainder of the line and delete line 26 in its entirety and insert in lieu thereof the following:

“assessed valuation of all property within such district; and”

AMENDMENT No. 3—

On page 20, at the end of line 28, delete the words “total value” and delete lines 29 and 30 in their entirety and insert in lieu thereof the following:

“assessed valuation of all property within the political subdivision.”

Delegate Abraham moved the adoption of the amendments.

Delegate Asseff objected.

By a vote of 65 yeas and 32 nays the amendments were adopted.

Delegate Abraham moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Leigh sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Leigh to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 20, line 14, immediately after the word “purpose” insert a period “.” and delete the word “which” and delete lines 15, 16 and 17 in their entirety and insert in lieu thereof the following:

“The aggregate of all indebtedness of such political subdivisions, incurred for such purpose and evidenced by bonds payable solely from ad valorem taxes levied without limitation as to rate or amount.”

On motion of Delegate Leigh the amendment was adopted.

Delegate Leigh moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Schmitt sent up a floor amendment, which was read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Schmitt to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 20, line 14, in Floor Amendment No. 1 proposed by Delegates Pugh and Abraham and adopted by the Convention on November 7, 1973, on line 2 of the language added by the said amendment after the word and punctuation “subdivision,” add the following:

“including property exempt as homesteads,”

AMENDMENT No. 2—

On page 20, line 25, in Floor Amendment No. 2 proposed by Delegates Pugh and Abraham and adopted by the Convention on November 7, 1973, on line 2 of the language added by said amendment after the word “district” and before the word “and” delete the semicolon “;” and insert in lieu thereof the following:

“; including property exempt as homesteads;”

On motion of Delegate Perez the amendments were adopted.

Delegate Perez moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roemer sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegates Roemer, Jenkins, Duval and Lanier to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 20, delete lines 13 through 32, in their entirety and on page 21, delete lines 1 through 8, in their entirety, including all amendments thereto and insert in lieu thereof the following:

"Section 40. (A) The aggregate amount of general obligation bonds secured solely by ad valorem taxes within any taxing district, including existing such bonds, shall not exceed ten percent of the fair market value or use value as applicable to the taxable property within the district.

(B) The legislature may increase the debt limitations established in this Section by general law or by local or special law passed by a two-thirds vote of the elected membership of each house."

Delegate Roemer moved the adoption of the amendment.
Delegate Conroy objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Abraham
Aertker
Arnette
Badeaux
Bollinger
Brown
Casey
Champagne
Comar
De Blieux
Denney
Derbes
Deshotels
Duval
Fayard
Ginn
Goldman
Graham
Grier
Guarisco
Jackson, J.
Jenkins
Juneau
Kelly
Kilpatrick
Landrum
Landry, A.
Lanier
Lowe
Newton
O'Neill
Reeves
Riecke
Roemer
Sanzo
Schmitt
Shannon
Soniat
Stagg
Stovall
Sutherland
Tate
Thompson
Velazquez
Warren
Womack
Zervigon

NAYS
Delegates—
Alario
Asseff
Avant
Bergeron
Burson
Cannon
Chatelain
Chehardy
Conio
Conroy
Corne
Covran
D'Gerolamo
Dennis
Dunlap
Edwards
Elkins
Fiery
Fontenot
Fowler
Fulco
Gauthier
Glazzaro
Gothman
Graham
Gravel
Hardee
Hayes
Heine
Jackson, A.
Kilbourne
Landry, E. J.
LeBlanc
Leigh
Leithman
McDaniel
Martin
Mauberret
Maybuce
Morris
Nunez
Perez
Perkins
Planchard
Hanes
Heine
Jack
Jackson, A.
Kilbourne
Landrum
Landry, E. J.
LeBlanc
Leigh
Leithman
McDaniel
Martin
Mauberret
Maybuce

Total—58.

NOT VOTING
Delegates—
Mr. Chairman
Alexander
Anzalone
Bel
Blair
Burns
Carmouche
Drew
Hernandez
Kean
Lambert
Millet
Mire
Monson
Ousso
Pugh
Rayburn
Segura
Slay
Smith
Tapper
Thistlethwaite
Vick
Wall
Weiss

Total—25.

And the amendment was rejected.
Delegate Conroy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Avant sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate Avant to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 20, delete lines 13 through 32, in their entirety and on page 21, delete lines 1 through 8, in their entirety, including all amendments thereto and insert in lieu thereof the following:

"Section 40. (A) The aggregate amount of general obligation bonds secured solely by ad valorem taxes within any taxing district, including existing such bonds, shall not exceed ten percent of the fair market value or use value as applicable to the taxable property within the district.

(B) The legislature may increase the debt limitations established in this Section by general law or by local or special law."

Delegate Avant moved the adoption of the amendment.
Delegate Perez objected.

By a vote of 44 yeas and 60 nays the amendment was rejected.
Delegate Perez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 40 was read, as amended.
Delegate Perez moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Bergeron
Birson
Chatelain
Chehardy
Conio
Conroy
Corne
D'Gerolamo
Dennis
Dunlap
Edwards
Elkins
Fiery
Fontenot
Fowler
Fulco
Gauthier
Glazzaro
Gothman
Graham
Gravel
Hardee
Hayes
Heine
Jack
Jackson, A.
Kilbourne
Landrum
Landry, E. J.
LeBlanc
Leigh
Leithman
McDaniel
Martin
Mauberret
Maybuce
Morris
Nunez
Perez
Perkins
Planchard
Hanes
Heine
Jack
Jackson, A.
Kilbourne
Landrum
Landry, E. J.
LeBlanc
Leigh
Leithman
McDaniel
Martin
Mauberret
Maybuce

Total—59.

NAYS
Delegates—
Arnette
Asseff
Avant
Badeaux
Bollinger
Brown
Casey
Comar
De Blieux
Deshotels
Dunlap
Edwards
Elkins
Fiery
Fontenot
Fowler
Fulco

Total—58.

NOT VOTING
Delegates—
Mr. Chairman
Alexander
Anzalone
Bel
Blair
Burns
Carmouche
Drew
Hernandez
Brown
Casey
Comar
Deshotels
Dunlap
Edwards
Elkins
Fiery
Fontenot
Fowler
Fulco

Total—59.
## COMMITTEE PROPOSAL No. 11—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare, and Delegates Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leitham, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca and Wisham:

A PROPOSAL

Making provisions for human resources by providing for retirement and survivors’ benefits.

Reported with amendments.

## COMMITTEE PROPOSAL No. 30—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Corne, Cowen, Flory, Grier, Haynes, Hernandez, Landry, Leitham, Lennox, Rachal, Riecke, Robinson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca, and Wisham:

A PROPOSAL

To provide for the transition of membership on the boards of education.

Reported with amendments.

Respectfully submitted,

ROBERT J. AERTKER,
Chairman.

## COMMITTEE NOTICE

Delegate Dennis, chairman of the Committee on Judiciary, sent up the following notice:

The Committee on Judiciary will meet on Wednesday, November 14, 1973, after adjournment in the Treaty Room of the White House Inn and will consider the following agenda:

### AGENDA

To consider Delegate Proposal No. 43 by Delegate J. Jackson, et al. and Delegate Proposal No. 32 by Delegate Drew.

Respectfully submitted,

JAMES L. DENNIS,
Chairman of the Committee on Judiciary

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

### Leaves of Absence

Delegate Weiss—1 day.
Delegate Rachal—1½ days.
Delegate Miller—1 day.
Delegate Mire—½ day.

### Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, November 8, 1973, at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, November 8, 1973, at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary  
DAVID R. FOYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

EIGHTY-FIRST DAY’S PROCEEDINGS

of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

The Convention was called to order at 9:00 o'clock a.m., by
Thomas Casey, Vice-Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—
Mr. Chairman—Fulco
Abraham—Gauthier
Aerkter—Giarussio
Alario—Ginn
Anzalone—Goldman
Arnette—Graham
Asseff—Gravel
Avant—Grier
Badeaux—Guarisco
Bergeron—Hardée
Blair—Hayes
Bollinger—Haynes
Brien—Heine
Brown—Hernandez
Burns—Jack
Burson—Jackson, A.
Cannon—Jackson, J.
Carmouche—Jenkins
Casey—Juneau
Champlagne—Kean
Chatelain—Kelly
Comar—Kilbourne
Conino—Kilpatrick
Conroy—Lambert
Corne—Landrum
Cowan—Landry, A.
D’Gerolamo—Landry, E. J.
De Blicaux—Lanier
Denassy—LeBlanc
Dennis—Leigh
Derbes—Leithman
Deshotels—Lowe
Dunlap—McDaniel
Duval—Martin
Edwards—Mauberret
Elkins—Maybude
Fayard—Mire
Flory—Morriss
Fontenot—Newton
Fowler—Nunez
O’Neill
Ouro
Perez
Perkins
Pianchard
Rayburn
Reeves
Riecke
Roe
Roy
Sandoz
Schmitt
Segura
Shannon
Singing
Soniart
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Thompson
Tobias
Toca
Toomy
Ulo
Velazquez
Vesich
Vick
Warren
Wattigny
Weiss
Wills
Winchester
Wisham
Womack
Zervigon

ABSENT

Delegates—
Alexander—Miller
Bel—Munsön
Chehardy—Pugh
Drew—Rachal

Total—119.

The Chairman announced that there were 119 members
present and a quorum.

Prayer

Prayer was offered by Delegate Wattigny.

Pledge of Allegiance

Delegate Soniat led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Singletary, the reading of the Jour-
nal was dispensed with.

On motion of Delegate Singletary, the Journal of yesterday
was adopted.

Morning Hour

Reports of Committees Lying Over
Delegate and Committee
Proposals on Second Reading
Reported by Committees

The following entitled Delegate and Committee Proposals
were taken up and acted upon as follows:

COMMITTEE PROPOSAL No. 11—

Introduced by Delegate Aerkter, Chairman, on behalf of
the Committee on Education and Welfare, and Delegates
Armentor, Carmouche, Corne, Cowen, Flory, Grier, Haynes,
Hernandez, Landry, Leithman, Lemox, Rachal, Riecke, Rob-
inson, Segura, Silverberg, Sutherland, Thistlethwaite, Toca
and Wattigny:

A PROPOSAL

Making provisions for human resources by providing for re-
tirement and survivors’ benefits.

Read.

Reported with the following amendments by the Committee
on Education and Welfare.

COMMITTEE AMENDMENTS

Amendments proposed by Committee on Education and Welfare
to Committee Proposal No. 11 by Delegate Aerkter, et al.

Amend printed proposal as follows:

AMENDMENT No. 1—

On page 1, delete lines 4 through 6, both inclusive, in their
entirety and insert in lieu thereof the following:

“Carmouche, Corne, Cowen, Flory, Graham, Grier, Haynes,
Hernandez, E. Landry, Leithman, Morris, Rachal, Riecke,
Segura, Sutherland, Thistlethwaite, Toca, Wattigny”

AMENDMENT No. 2—

On page 1, line 16, after the word “public” and before the
word “through” delete “schools” and insert in lieu thereof
the words “educational system”.

AMENDMENT No. 3—

On page 1, line 18, at the beginning of the line, delete the
words “public school employees” and insert in lieu thereof
the words “employees of the public educational system.”

AMENDMENT No. 4—

On page 1, line 19, after the word “contractual” delete the
word and comma “relationship,” and insert in lieu thereof
“relationship between the employer and employee.”

AMENDMENT No. 5—

On page 1, at the end of line 20, delete the words “nor im-
” and insert in lieu thereof the words “or im-
”.

AMENDMENT No. 6—

On page 1, line 21, after the word “state” delete the words
“shall guarantee any” and insert in lieu thereof the words
“guarantees all”.

AMENDMENT No. 7—

On page 1, line 26, after the words “State of” delete the re-
mainder of the line and at the beginning of line 27, delete
“propeties” and insert in lieu thereof the words “Louisiana,
its agencies”

AMENDMENT No. 8—

On page 1, line 31, after the word “political” delete the
Reported without action by the Committee on Education and Welfare.
On motion of Delegate Morris the proposal was withdrawn from the files of the Convention.

DELEGATE PROPOSAL No. 92—
Introduced by Delegate Robinson: A PROPOSAL
Making provisions for public elementary and secondary education and necessary provisions with respect thereto.
Read.
Reported without action by the Committee on Education and Welfare.
On motion of Delegate Morris the Proposal was withdrawn from the files of the Convention.

Reconsideration

Section 40. Limitations on Bonded Indebtedness of Political Subdivisions

Section 40. (A) General obligation bonds may be issued by any political subdivision for any single purpose which, including the existing bonds of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the total value of all property within such subdivision valued for assessment purposes, including property exempt; as homesteads, to be ascertained by the last such valuation for political subdivision purposes previous to incurring such indebtedness except that: (1) as to both parishwide school districts and other school districts, the limitation shall be twenty-five percent of the total value of all property within such district valued for assessment purposes as aforesaid; and (2) as to general obligation industrial development bonds, such limitation shall be twenty percent of the total value of all property within the political subdivision valued for assessment purposes as aforesaid.

(B) Any municipality financing and operating its own schools and not located within a parishwide or other school district shall be regarded as and treated on the same basis for the purpose of debt limitation and shall have the same authority for all purposes of this Section as though it were such a school district.

(C) The legislature may increase the debt limitations established in this Section by general law or by local or special taxing authority to be passed by a two-thirds vote of the elected membership of each house.

(D) Bonds and other debt obligations payable from acreage taxes, sales and use taxes, excess revenues, special assessments, or other special revenues shall not be considered to be bonds payable solely from ad valorem taxes for all purposes of this Section.

Read.
On motion of Delegate Perez the vote by which the above Section failed to pass on yesterday was reconsidered.

Unfinished Business

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

COMMITTEE PROPOSAL No. 17—
Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D'Gerolamo, Fowler, Giarrusso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon: A PROPOSAL
Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.
Read.
The Chairman announced that the Convention had under consideration Committee Proposal No. 17 when it adjourned on Wednesday, November 7, 1973, which was taken up and acted on as follows:

**Motion**

Delegate Warren moved to reconsider the vote by which Committee Proposal No. 17, Section 41 was passed on yesterday.

Delegate Perez moved to table the motion to reconsider.

By a vote of 38 yeas 47 nays the Convention refused to table the motion to reconsider the vote by which Committee Proposal No. 17, Section 41 was passed on yesterday.

Delegate Warren insisted upon her motion to reconsider the vote by which Committee Proposal No. 17, Section 41, was passed on yesterday.

Delegate Perez objected.

By a vote of 48 yeas 32 nays the vote by which Committee Proposal No. 17, Section 41 was passed was reconsidered.

**Section 41. Limited Time for Contesting Bonds of Political Subdivisions**

Section 41. (A) For a period of sixty days from the promulgation of the result of any election held for the purpose in incurring or assuming debt, issuing bonds, or levying a tax, any person in interest shall have the right to contest the legality of such election, the bond issue provided for, or the tax authorized, for any cause after which time no one shall have any cause or right of action to contest the regularity, formality, or legality of said election, tax provisions, or bond authorization, for any cause whatsoever. If the validity of any election, tax, debt assumption, or bond issue authorized or provided for, held under the provisions of this Section, is not raised within the sixty days herein prescribed, the authority to incur or assume debt, levy the tax, or issue the bonds, the legality thereof, and the taxes and other revenues necessary to pay the same shall be conclusively presumed to be valid, and no court shall have authority to inquire into such matters.

(B) Every ordinance or resolution authorizing the issuance of bonds or other debt obligation by a political subdivision shall be published at least once in the official journal of the political subdivision, or if there is none, then in a newspaper having general circulation therein. For a period of thirty days from the date of the publication any person in interest may contest the legality of the ordinance or resolution, the bonds or other debt obligation authorized thereby, and of any provision therein made for the security and payment of the bonds. After this time, no one shall have any cause of action to test the regularity, formality, legality, or effectiveness of the ordinance or resolution, bonds, or other debt obligation, and provisions thereof for any cause whatever; and after this time it shall be conclusively presumed that every legal requirement for the issuance of the bonds or other debt obligation, including all things pertaining to the election, if any, at which the bonds or other debt obligation were authorized, has been complied with, and no court shall have authority to inquire into any such matters after the lapse of this thirty days.

Read.

Delegate Warren sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Warren to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 22, line 3, immediately after the word "least" and before the word "in" delete the word "once" and insert in lieu thereof the words "three times"

Delegate Warren moved the adoption of the amendment.

Delegate Perez objected.

By a vote of 25 yeas and 66 nays the amendment was rejected.

Delegate Kean moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 17, Section 41 was read.**

Delegate Perez moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Voting Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Fowier</td>
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<tr>
<td>Alario</td>
<td>Frias</td>
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<tr>
<td>Armette</td>
<td>Gauthier</td>
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<tr>
<td>Badeaux</td>
<td>Giarrusso</td>
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<td>Bergeron</td>
<td>Goldman</td>
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<tr>
<td>Bollinger</td>
<td>Graham</td>
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<tr>
<td>Brien</td>
<td>Gravel</td>
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<td>Burns</td>
<td>Grier</td>
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<td>Burson</td>
<td>Hardee</td>
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<tr>
<td>Carmouche</td>
<td>Hayes</td>
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<td>Casey</td>
<td>Haynes</td>
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<tr>
<td>Champagne</td>
<td>Hernandez</td>
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<tr>
<td>Chatelain</td>
<td>Jack</td>
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<tr>
<td>Comar</td>
<td>Jackson, A.</td>
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<tr>
<td>Conino</td>
<td>Juneau</td>
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<tr>
<td>Conroy</td>
<td>Keen</td>
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<td>Cone</td>
<td>Kilbourne</td>
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<tr>
<td>Cowen</td>
<td>Landrum</td>
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<tr>
<td>D'Gorolamo</td>
<td>Landry, A.</td>
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<tr>
<td>De Blieux</td>
<td>Landry, E. J.</td>
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<tr>
<td>Dennery</td>
<td>Lane</td>
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<td>Dennis</td>
<td>LeBleu</td>
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<td>Derbes</td>
<td>Leigh</td>
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<td>Leithman</td>
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<td>Divval</td>
<td>Lowe</td>
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<td>Elkins</td>
<td>Lowery</td>
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<tr>
<td>Fontenot</td>
<td>Maubertet</td>
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**NAVS**

<table>
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<tr>
<td>Assel</td>
<td>Jenkins</td>
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<tr>
<td>Azant</td>
<td>Kelly</td>
</tr>
<tr>
<td>Ayant</td>
<td>Maybucke</td>
</tr>
<tr>
<td>Flory</td>
<td>O'neill</td>
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<tr>
<td>Jackson, J.</td>
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<td>Total—10</td>
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</tbody>
</table>

**NOT VOTING**

<table>
<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Guarisco</td>
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<tr>
<td>Aertker</td>
<td>Heine</td>
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<tr>
<td>Alexander</td>
<td>Kilpatrick</td>
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<td>Anzalone</td>
<td>Lambert</td>
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<td>Miller</td>
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<td>Brown</td>
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<td>Cannon</td>
<td>Munson</td>
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<td>Chehardy</td>
<td>Ourso</td>
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<td>Drew</td>
<td>Pugh</td>
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<td>Edwards</td>
<td>Rayburn</td>
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<tr>
<td>Fayard</td>
<td>Reeves</td>
</tr>
<tr>
<td>Finn</td>
<td>Roy</td>
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<tr>
<td>Total—40</td>
<td></td>
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</tbody>
</table>

And the Chair declared that the above Section was finally passed.

**Motion**

On motion of Delegate Perez, and under a suspension of the rules, the vote by which Committee Proposal No. 17, Section 41, was reconsidered, and, on his own motion, the motion to reconsider was laid on the table.
Delegate Stagg moved to reconsider the vote by which Committee Proposal No. 17, Section 43 was passed on yesterday.

Delegate Flory objected.

By a vote of 82 yeas and 4 nays the vote by which Committee Proposal 17, Section 43 was adopted on yesterday was reconsidered.

Section 43. Revenue-Producing Property

Section 43. The legislature may authorize political subdivisions to issue bonds or other debt obligations for the purpose of constructing, acquiring, extending, or improving any revenue-producing public utility. The bonds or other debt obligations may be secured by mortgage on the lands, buildings, machinery, and equipment or by the pledge of the income and revenues of such public utility and shall not be a charge upon the other income and revenues of the political subdivision.

Read.

Delegate Stagg sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stagg to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1 —
On page 23, line 13, immediately after the word "utility" delete the period "." and add the following:

"or work of public improvement."

AMENDMENT No. 2 —
On page 23, line 16, immediately after the word "utility" and before the word "and" insert the words "or work of public improvement."

Delegate Stagg moved the adoption of the amendments.

Delegate Maybuc objected.

By a vote of 88 yeas and 3 nays the amendments were adopted.

Delegate Stagg moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 17, Section 43 was read as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

**YEAS**

Delegates—

Abraham — Conino — Giarrusso
Aerkier — Conroy — Ginn
Alario — Corne — Goldman
Arnette — Cowen — Graham
Assell — D’Gerolamo — Gravel
Badeaux — De Bles — Grier
Bergeron — Denney — Hardee
Bigler — Dennis — Haynes
Brien — Derbes — Hernandez
Burns — Deshotels — Jack
Burson — Duval — Jackson, A.
Carmouche — Eikins — Jackson, J.
Casey — Fontenot — Juneau
Champagne — Fowler — Keen
Chatelain — Fulco — Kelly
Comar — Gauthier — Kilbourne

**NAYS**

Delegates—

Kilpatrick — Perkins — Sutherland
Landrum — Planchar — Tappert
Landry, A. — Raybourn — Thompson
Landry, E. J. — Ricke — Tobias
Lanier — Roemer — Toca
Leigh — Sandoz — Toomy
Leithman — Schmitt — Velazquez
Low — Segura — Vick
McDaniel — Shannon — Warren
Mauberret — Singletary — Wattigny
Maybuc — Stagg — Willis
Morris — Stagnani — Wisham
Newton — Stephenson — Womack
Perez — Stinson — Zerignoni

Total—92.

And the Chair declared that the above Section was finally passed.

On motion of Delegate Perez, and under a Suspension of the Rules, the vote by which the above Section was passed was reconsidered, and on his own motion, the motion to reconsider was laid on the table.

Section 40. Limitations on Bonded Indebtedness of Political Subdivisions

Section 40. (A) General obligation bonds may be issued by any political subdivision for any single purpose which, including the existing obligations of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the total value of all property within such subdivision valued for assessment purposes, including property exempt home- steads, to be ascertained by the last such valuation for political subdivision purposes previous to incurring such indebtedness except that: (1) as to both parishwide school districts and other school districts, the limitation shall be twenty-five percent of the total value of all property within such district valued for assessment purposes as aforesaid; and (2) as to general obligation industrial development bonds, such limitation shall be twenty percent of the total value of all property within the political subdivision valued for assessment purposes as aforesaid.

(B) Any municipality financing and operating its own schools and not located within a parishwide or other school district shall be regarded as and treated on the same basis for the purpose of debt limitation and shall have the same authority for all purposes of this Section as though it were such a school district.

(C) The legislature may increase the debt limitations established in this Section by general law or by local or special law passed by a two-thirds vote of the elected membership of each house.

(D) Bonds and other debt obligations payable from ad valorem taxes, sales and use taxes, excess revenues, special assessments, or other special revenues shall not be considered to be bonds payable solely from ad valorem taxes for all purposes of this Section.

Read.

On motion of Delegate Perez, the above Section which
was reconsidered on November 8, 1973, was taken up and acted upon as follows:

On motion of Delegate Perez, the Convention deferred action on the above Section at this time.

**Motion**

On motion of Delegate Perez Committee Proposal No. 17, Section 45, upon which action was deferred on October 4, 1973, was taken up and acted upon as follows:

**Section 45. District Taxes; Increase in Tax to Raise Additional Funds**

Section 45. (A) For the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incidental thereto, the governing authority of each district, may levy annually a tax not to exceed five mills on the dollar, except the Board of Levee Commissioners of the Orleans Levee District which may levy annually a tax not to exceed two and one-half mills on the dollar, on all taxable property situated within the alluvial portions of said district subject to overflow.

(B) Should the necessity to raise additional funds arise in any levee district for any of the purposes herein set forth, or for any other purpose related to its authorized powers and functions which may be specified by the legislature, the tax herein authorized may be increased. However, before taking effect, the necessity for the increase and the rate thereof shall be submitted to the electors of such district and no increase in taxes shall occur unless a majority of the electors in such district who vote in the election hereinabove provided for vote in favor thereof.

Read.

Delegate Gravel sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Gravel to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 24, line 11 immediately after the words “on the” and before the word “except” delete the word and punctuation “dollar,” and insert in lieu thereof the words and punctuation “assessed valuation,”

**AMENDMENT No. 2—**

On page 24, line 14 immediately after the words “on the” and before the word “all” delete the words and punctuation “dollar, on” and insert in lieu thereof “assessed valuation of”

On motion of Delegate Gravel the amendments were adopted.

Delegate Gravel moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Committee Proposal No. 17, Section 45** was read as amended.

Delegate Perez moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Blair</td>
</tr>
<tr>
<td>Aertker</td>
<td>Bollinger</td>
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<td>Algario</td>
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<td>Cowen</td>
<td>Casey</td>
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<td>D'Gerolamo</td>
<td>Champagne</td>
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<td>De Blieux</td>
<td>Chalmet</td>
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<td>Coninno</td>
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<td>Dennis</td>
<td>Conroy</td>
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<td>Derbes</td>
<td>Corne</td>
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<td>Deshotels</td>
<td>Elkins</td>
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<td>Dunlap</td>
<td>Flory</td>
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<tr>
<td>Duval</td>
<td>Fontenot</td>
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<td>Elkins</td>
<td>Fowler</td>
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<tr>
<td>Flory</td>
<td>Fuoco</td>
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<td>Giacobbi</td>
<td>Gauthier</td>
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<tr>
<td>Ginn</td>
<td>Giarrusso</td>
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<tr>
<td>Goldman</td>
<td>Glenn</td>
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<tr>
<td>Graham</td>
<td>Gravel</td>
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<tr>
<td>Grier</td>
<td>Guerico</td>
</tr>
<tr>
<td>Hardee</td>
<td>Hayes</td>
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<tr>
<td>Hayes</td>
<td>Haynes</td>
</tr>
<tr>
<td>Heine</td>
<td>Hernandez</td>
</tr>
</tbody>
</table>

| Jack      | Maybuck |
| Jackson, A | Morris |
| Jackson, J | Newton |
| Juneau    | Nunez |
| Keen      | Perez |
| Kelly     | Perkins |
| Kilbourne | Planeard |

**NAYS**

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<td>Deesef</td>
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</table>

**DELEGATES**

<p>| |</p>
<table>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Alexander</td>
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<tr>
<td>Anzalone</td>
</tr>
<tr>
<td>Bel</td>
</tr>
<tr>
<td>Brown</td>
</tr>
<tr>
<td>Chehardy</td>
</tr>
<tr>
<td>Drew</td>
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<tr>
<td>Edwards</td>
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<tr>
<td>Fayard</td>
</tr>
<tr>
<td>Heine</td>
</tr>
</tbody>
</table>

**Total—30.**

And the Chair declared the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Perez Committee Proposal No. 17, Section 46, upon which action was deferred on October 4, 1973, was taken up and acted upon as follows:

**Section 46. Bond Issues**

Section 46. (A) Subject to the approval of the State Bond Commission or any successor thereto, the governing body of any levee district may fund the avails of said taxes or other revenues into bonds, or other evidences of indebtedness, the proceeds thereof to be used for the purposes mentioned in this Article or for the funding or payment of any outstanding indebtedness.

(B) Bonds issued under the authority of the foregoing provision shall be sold in accordance with applicable provisions of the Louisiana Revised Statutes relating to the issuance of bonds by levee districts.

Read.

**Committee Proposal No. 17, Section 46** was read.

Delegate Perez moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Arnette</td>
</tr>
<tr>
<td>Aertker</td>
<td>Asseff</td>
</tr>
<tr>
<td>Algario</td>
<td>Badeaux</td>
</tr>
<tr>
<td>Avant</td>
<td>Bergeron</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Blair</td>
</tr>
</tbody>
</table>

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any political subdivision thereof for the purpose of commerce.
(B) If the district has no other funds or resources out of which such payment can be made, it shall levy, on all taxable property situated within the district, a tax sufficient to pay for said property so used or destroyed to be used solely in the district where collected.
(C) Nothing contained in this Section shall prevent the appropriation of said property before payment.

Read

Delegate Lowe sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Lowe to Committee Proposal No. 17 by Delegate Perez, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 25, line 24, immediately after the word "price" delete the remainder of the line and delete lines 25 through 30, both inclusive, in their entirety and on line 31 at the beginning of the line delete the words "ket value" and insert in lieu thereof the following:
"equal to the difference between the fair market value of the property before the taking and the fair market value of the property after the taking"

Delegate Lowe moved the adoption of the amendment.
Delegate Perez objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Aertker
Arnott
Asell
Avant
Carmouche
Casey
Comer
Conroy
Cowan
De Blieux
Denney
Dennis
Derbes
Dunlap
Fowler
Flory
Fontenot
Gauthier
Giarrusso
Ginn
Goldman

NOT VOTING

Jenkins
Martin
Miller
Monson
O’Neill
Ours
Perez
Pugh
Rachel
Reeves
Roy
Segura
Slay
Smith
Tate
Thistlethwaite
Ulo
Vesich
Wall
Weiss

NAYS

Ginn
Goldman
Graham
Gravel
Guarisco
Hardee
Hayes
Jackson, A.
Jackson, J.
Kelly
Kilpatrick
Lambert
Landrum
Leigh
Maybue

The roll was called with the following result:

YEAS

Delegates—

Ginn
Goldman
Graham
Gravel
Guarisco
Hardee
Hayes
Jackson, A.
Jackson, J.
Kelly
Kilpatrick
Lambert
Landrum
Leigh
Maybue

NAYS

For

Blair
Bollinger
Brown
Burns
Buron
Cannon
Champagne
Chatelain
Corne
D’Gerolamo
Deshotels
Elkins

Total—53.

The roll was called with the following result:

YEAS

Delegates—

Alario
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Buron
Cannon
Champagne
Chatelain
Corne
D’Gerolamo
Deshotels
Elkins

Total—53.

NOT VOTING

Mr. Chairman
Alexander

Bel
Chehardy

NAYS

Alario
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Buron
Cannon
Champagne
Chatelain
Corne
D’Gerolamo
Deshotels
Elkins

Total—53.

The roll was called with the following result:

YEAS

Delegates—

Ginn
Goldman
Graham
Gravel
Guarisco
Hardee
Hayes
Jackson, A.
Jackson, J.
Kelly
Kilpatrick
Lambert
Landrum
Leigh
Maybue

NAYS

For

Alario
Badeaux
Bergeron
Blair
Bollinger
Brown
Burns
Buron
Cannon
Champagne
Chatelain
Corne
D’Gerolamo
Deshotels
Elkins

Total—53.
81st Days Proceedings—November 8, 1973

<table>
<thead>
<tr>
<th>Total—27.</th>
<th>Total—41.</th>
</tr>
</thead>
<tbody>
<tr>
<td>And the amendment was rejected.</td>
<td>Delegates—</td>
</tr>
<tr>
<td>Delegate Perez moved to reconsider the vote by which the amendment was rejected, and to lay the motion to reconsider on the table.</td>
<td>Abraham</td>
</tr>
<tr>
<td>Delegate Lowe objected to tabling the motion to reconsider.</td>
<td>Fayerd</td>
</tr>
<tr>
<td>By a vote of 54 yeas and 50 nays the motion to reconsider was laid on the table.</td>
<td>Fowler</td>
</tr>
<tr>
<td>Delegate Duval sent up floor amendments, which were read as follows:</td>
<td>Gauthier</td>
</tr>
<tr>
<td><strong>FLOOR AMENDMENTS</strong></td>
<td>Girarruso</td>
</tr>
<tr>
<td>Amendments proposed by Delegate Duval to Committee Proposal No. 17 by Delegate Perez, et al.</td>
<td>Hardee</td>
</tr>
<tr>
<td>Amend reprinted as engrossed proposal as follows:</td>
<td>Heine</td>
</tr>
<tr>
<td><strong>AMENDMENT No. 1—</strong></td>
<td>Hernandez</td>
</tr>
<tr>
<td>On page 25, line 22, after the letter &quot;(A)&quot; delete the word &quot;lands&quot; and insert in lieu thereof the following: &quot;Notwithstanding any other provision of this constitution, lands&quot;</td>
<td>Jack</td>
</tr>
<tr>
<td>Delegate Duval moved the adoption of the amendments.</td>
<td>Ken</td>
</tr>
<tr>
<td>Delegate Perez objected.</td>
<td>Kilbourne</td>
</tr>
<tr>
<td>By a vote of 67 yeas and 40 nays the amendments were adopted.</td>
<td>Kilpatrick</td>
</tr>
<tr>
<td>Delegate Duval moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.</td>
<td>Landry, A.</td>
</tr>
<tr>
<td>Delegate Brien sent up a floor amendment, which was read as follows:</td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td><strong>FLOOR AMENDMENT</strong></td>
<td>Lanier</td>
</tr>
<tr>
<td>Amendment proposed by Delegate Brien to Committee Proposal No. 17 by Delegate Perez, et al.</td>
<td>LeBleu</td>
</tr>
<tr>
<td>Amend reprinted as engrossed proposal as follows:</td>
<td>Leifman</td>
</tr>
<tr>
<td><strong>AMENDMENT No. 1—</strong></td>
<td>McDaniel</td>
</tr>
<tr>
<td>On page 25, line 22, after the letter &quot;(A)&quot; delete the word &quot;lands&quot; and insert in lieu thereof the following: &quot;Notwithstanding any other provision of this constitution, lands&quot;</td>
<td>Mabberret</td>
</tr>
<tr>
<td>Delegate Brien moved the adoption of the amendment.</td>
<td>Morris</td>
</tr>
<tr>
<td>Delegate Lanier objected.</td>
<td>Nunez</td>
</tr>
<tr>
<td>A record vote was asked for and ordered by the Convention.</td>
<td>NAYS</td>
</tr>
<tr>
<td><strong>ROLL CALL</strong></td>
<td>Perez</td>
</tr>
<tr>
<td>The roll was called with the following result:</td>
<td>Perkins</td>
</tr>
<tr>
<td>YEAS</td>
<td>Planchard</td>
</tr>
<tr>
<td>Delegate—</td>
<td>Rayburn</td>
</tr>
<tr>
<td>Aker</td>
<td>Sanchez</td>
</tr>
<tr>
<td>Badeaux</td>
<td>Schmitt</td>
</tr>
<tr>
<td>Boyd</td>
<td>Shannon</td>
</tr>
<tr>
<td>Brown</td>
<td>Stephenson</td>
</tr>
<tr>
<td>Canon</td>
<td>Stovall</td>
</tr>
<tr>
<td>Chetwardy</td>
<td>Sutherland</td>
</tr>
<tr>
<td>Comar</td>
<td>Tapper</td>
</tr>
<tr>
<td>Drew</td>
<td>Toca</td>
</tr>
<tr>
<td>Edwards</td>
<td>Toomy</td>
</tr>
<tr>
<td>Reeves</td>
<td>Velasquez</td>
</tr>
<tr>
<td>Total—28.</td>
<td>Vick</td>
</tr>
<tr>
<td>And the amendment was rejected.</td>
<td>Weiss</td>
</tr>
<tr>
<td>Delegate Lanier moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.</td>
<td>Willis</td>
</tr>
<tr>
<td>Delegate Guarisco sent up floor amendments, which were read as follows:</td>
<td>Winchester</td>
</tr>
<tr>
<td><strong>FLOOR AMENDMENTS</strong></td>
<td>Womaek</td>
</tr>
<tr>
<td>Amendments proposed by Delegate Guarisco to Committee Proposal No. 17 by Delegate Perez, et al.</td>
<td>Zervigon</td>
</tr>
<tr>
<td>Amend reprinted as engrossed proposal as follows:</td>
<td></td>
</tr>
<tr>
<td><strong>AMENDMENT No. 1—</strong></td>
<td>Jackson, J.</td>
</tr>
<tr>
<td>On page 25, delete lines 22 through 32, both inclusive, in their entirety and on page 26 delete lines 1 through 8, both inclusive, in their entirety including all Floor Amendments thereto and insert in lieu thereof the following: Section 49. (A) No property shall be used or destroyed for levees or levee drainage purpose without just compensation paid to the owner or into court for his benefit.&quot;</td>
<td>Riecke</td>
</tr>
<tr>
<td>AMENDMENT No. 2—</td>
<td>Roy</td>
</tr>
<tr>
<td>On page 26, line 9, beginning of the line, change &quot;(C)&quot; to &quot;(B)&quot;</td>
<td>Segura</td>
</tr>
<tr>
<td>Delegate Guarisco moved the adoption of the amendments.</td>
<td>Singletary</td>
</tr>
<tr>
<td>Delegate Perez objected.</td>
<td>Soniat</td>
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<td>Stagg</td>
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<td>Stinson</td>
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<td>Thompson</td>
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<td></td>
<td>Tobias</td>
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<td></td>
<td>Warren</td>
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<td></td>
<td>Wattigny</td>
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<td></td>
<td>Wisham</td>
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</tbody>
</table>

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ROLL CALL

The roll was called with the following result:

YEAS

Jackson, J.
Jenkins
Kelly
Kilpatrick
LeBlanc
Martin
Maybuce
Mire
Newton
O'Neill
Roemer
Roy

Singletary
Soniat
Stagg
Stinson
Stovall
Tate
Thompson
Vick
Warren
Wisam

NAYS

Fayard
Fontenot
Powder
Gauhier
Giarrusso
Goldman
Graham
Gravel
Grier
Hardee
Hayes
Hein
Henderson
Juneau
Kilbourne
Landry, A.
Landry, E. J.
Leithman
McDaniel
Maubreer
Nunez
Perkins
Pere

Plancharb
Rayburn
Reeves
Rieke
Sandoz
Schmitt
Shannon
Stephenson
Sutherland
Tobias
Toca
Toomy
Ullo
Velasquez
Vestich
Watrigny
Weiss
Willis
Wommack
Zervigon

NOT VOTING

Jack
Jackson, A.
Kean
Lambert
Landrum
Leigh
Lowe
Morris
Monson

Ouro
Pugh
Rachal
Segura
Slay
Smith
Tapper
Thistlethwaite
Wall

AMENDMENT No. 2—

On page 25, delete lines 22 through 30, both inclusive, in their entirety and at the beginning of line 31, delete "ket value:" and insert in lieu thereof the following:

"Section 49. (A) Lands and improvements onerous hereafter actually used or destroyed for levies or levee drainage purposes shall be paid for at a price not to exceed the assessed value for the preceding year; provided, if property used or destroyed for levies or levee drainage purposes from a landowner shall exceed more than one-third the value of that landowner's property and improvements, or if land is located on the protected side of a protection levee and is used for borrow purposes, the land and improvements onerous used or destroyed for such purposes shall be paid for at fair market value;"

Delegate McDaniel moved the adoption of the amendments.
Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Dennis
Elkins
Fontenot
Powers
Gauhier
Giarrusso
Graham
Grier
Hayes
Hein
Henderson
Juneau
Kilbourne
Landry, A.
Landry, E. J.

LeBlanc
McDaniel
Maubreer
Morris
Nunez
Perez
Sandoz
Shannon
Stephenson
Toomy
Ullo
Vestich
Winchester
Wommack

NAYS

Gravel
Guarisco
Haynes
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kelly
Kilpatrick
Langston
Landry, A.
Landry, E. J.
Martin
Maybuce
Mire
Newton
O'Neill
Perkins
Plancharb
Rayburn
Reeves

Rieke
Roemer
Roy
Singletary
Soniat
Stagg
Stinson
Stovall
Sutherland
Tate
Thompson
Toca
Velasquez
Vick
Warren
Watrigny
Weiss
Willis
Wisam
Zervigon

NOT VOTING

Landrum
Leithman
Lowe
Miller
Monson
Morris

Rachal
Schmitt
Segura
Slay
Smith
Tapper
Thistlethwaite
Wall

AMENDMENTS

Amendments proposed by Delegates McDaniel, Lanier, Perez and Elkins to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 25, lines 22 and 24, delete Floor Amendments No. 1 and No. 2 proposed by Delegate Duval and adopted by the convention on November 8, 1973.

And the amendments were rejected.

Delegate Perez moved to reconsider the vote by which the
amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal 17, Section 49 was read, as amended.

Delegate Perez moved the final passage of the Section.

ROLL CALL

The roll was called with the following results:

YEAS

Delegates— Abraham Fulco O'Neill
Aertker Gauthier Perez
Alario Giarussi Perkins
Avant Ginn Planchard
Badeaux Goldman Rayburn
Bergeron Graham Reeves
Blair Gravel Riess
Bollinger Grier Roemer
Brien Guarisco Roy
Brown Hayes Sandoz
Burns Heine Schmitt
Burson Hernandez Shannon
Cannon Jack Stagg
Carmouche Jackson, A. Stephenson
Casey Jackson, J.
Champagne Jenkins
Chatelain Juneau
Comar Kelly
Conino Kilbourne Thompson
Conroy Kilpatrick Tobis
Corne Lambert Toca
Cowen Landry, A.
D'Geraldo Landry, E. J.
De Blicieux Lanier Velazquez
Dennery LeBlou Vesich
Dennis Leithman Vick
Derbes McDaniel Warren
Deshotels Martin Wattigny
Dunlap Maubernet Weiss
Duval Maybuche Willis
Ekins Mire Winchester
Fayard Morris Wisham
Florey Newton Womack
Fontenot Nunez Zervigor
Fowler

Total—103.

NAYS

Delegates— Arnette Haynes Singletary
Asseff

Total—4.

NOT VOTING

Delegates— Mr. Chairman Kean Rachal
Alexander Landrum Segura
Anzalone Leigh Slay
Bel Lowe Smith
Chehardy Miller Soniat
Drew Munson Tagger
Edwards Ourso Thistlethwaite
Hardee Fugh Wall

Total—24.

And the Chair declared that the above Section was finally passed.

Delegate Perez moved to reconsider the vote by which the above Section was passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

On motion of Delegate Perez the Convention took up Committee Proposal No. 17, Section 40, which was acted upon as follows:

Section 40. (A) General obligation bonds may be issued by any political subdivision for any single purpose which, including the existing bonds of such political subdivision incurred for the same purpose and payable solely from ad valorem taxes levied without limitation as to rate or amount, shall not exceed in the aggregate ten percent of the total value of all property within such subdivision valued for assessment purposes, including property exempt as home- made to be assessed by the last such valuation for political subdivision purposes, and prevailing in such indebtedness except that: (1) as to both parishwide school districts and other school districts, the limitation shall be twenty-five percent of the total value of all property within such district valued for assessment purposes as aforesaid; and (2) as to general obligation industrial development bonds, such limitation shall be twenty percent of the total value of all property within the political subdivision valued for assessment purposes as aforesaid.

(B) Any municipality financing and operating its own schools and not located within a parishwide or other school district shall be regarded as and treated on the same basis for the purposes of debt limitation and shall have the same authority for all purposes of this Section as though it were such a school district.

(C) The legislature may increase the debt limitations established in this Section by general law or by local or special law passed by a two-thirds vote of the elected membership of each house.

(D) Bonds and other debt obligations payable from acreage taxes, sales and use taxes, excess revenues, special assessments, or other special revenues shall not be considered to be bonds payable solely from ad valorem taxes for all purposes of this Section.

Read.

Delegate Roemer sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Roemer, Lanier, Kelly, and Lowe to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 20, delete lines 13 through 32, both inclusive, in their entirety and on page 21, delete lines 1 through 13, both inclusive, in their entirety including all Floor Amendments to said pages and lines and insert in lieu thereof the following:

"Section 40. The legislature shall fix the limitation on bonded indebtedness payable solely from ad valorem taxes levied by political subdivisions."

Delegate Roemer moved the adoption of the amendment. Delegate Perez objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates— Mr. Chairman Denning
Abraham Jackson, J.
Aertker Jenkins
Arnette Juneau
Avani Kelly
Badeaux Kilbourne
Bergeron Kilpatrick
Bollinger Landry, A.
Brien Landry, E. J.
Brown Lanier
Burns LeBlou
Carmouche Martin
Casey Maybuche
Champagne Mire
Chatelain Newton
Comar O'Neill
Corne Reeves
Cowen Roemer

Total—103.
81st Days Proceedings—November 8, 1973

Delegates—

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Velazquez</th>
<th>Total—103.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roy</td>
<td>Stinson</td>
<td></td>
</tr>
<tr>
<td>Schmitt</td>
<td>Sotollan</td>
<td></td>
</tr>
<tr>
<td>Segura</td>
<td>Tate</td>
<td></td>
</tr>
<tr>
<td>Shannon</td>
<td>Thompson</td>
<td></td>
</tr>
<tr>
<td>Singletery</td>
<td>Tobins</td>
<td></td>
</tr>
<tr>
<td>Soniat</td>
<td>Ullo</td>
<td></td>
</tr>
</tbody>
</table>

NAYS

<table>
<thead>
<tr>
<th>Delegates</th>
<th>New</th>
<th>Planchard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Asseff</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Burson</td>
<td></td>
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<tr>
<td>Cannon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coninio</td>
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<tr>
<td>Conroy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>De Bieaux</td>
<td></td>
<td></td>
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Total—75.

NOT VOTING

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Delegates—

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Total—31.

Delegates—

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</table>

And the Chair declared that the above Section was finally passed.

Delegate Duval moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Vice-Chairman Casey in the Chair**

Delegate Willis sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Willis to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 23, between lines 18 and 19, insert the following: “Section 43.1 Maximum Charges for Attorney Fees

Section 43.1 The maximum charge which may be paid for legal services by a bonding authority in connection with the issuance and sale of its bonds shall not exceed $20,000 or one-half of one percent of the total authorized amount of said bonds, whichever is the lesser.”

Delegate Willis moved the adoption of the amendment. Delegate Avant objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Yeas</th>
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<tbody>
<tr>
<td>Alexander</td>
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**NAYS**

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**ROLL CALL**

The roll was called with the following result:

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81st Days Proceedings—November 8, 1973

Cowan | De Blieux | Dennery | Dennis | Derbes | Dunlap | Corne | Duval | Elkins | Fayard | Fontenot | Fowler | Fulse | Gautier | Giarrusso | Gin | Goldman | Graham | Gravel
Grier | Guarisco | Hayes | Heine | Jackson, A. | Juneau | Kean | Kelly | Kilbourne | Kilpatrick | Lanier | LeBlanc | Lowe | McDaniell | Martin | Mauherret | Mire | Morris | Newton | Perez |

Total—75.

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The amendment not having received the vote of a majority of the total membership of the Convention necessary to add a Section to a Proposal was rejected.

Delegate Segura moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair

Delegate Zervigon sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Zervigon and Casey to Committee Proposal No. 17 by Delegate Perez, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 19, between lines 6 and 7, add the following section:

"Section 37. Extension of Homestead Exemption to Additional Millages; Approval

Section 37. Notwithstanding any provisions contained in this constitution to the contrary, no homestead exemption shall extend to any additional millage imposed by any political subdivision after implementation of the provisions of Article XI, Section 5 hereof, unless the governing authority of a political subdivision, by ordinance proposing the imposition of such millage specifically extends the exemption to such millage."

Delegate Zervigon moved the adoption of the amendment.

Delegate Rayburn objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

<table>
<thead>
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<th>Yeas</th>
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<tbody>
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Total—69.

NOT VOTING

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<td>Aerkker</td>
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<tr>
<td>Drew</td>
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<tr>
<td>Total—22.</td>
<td>Rachal</td>
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</table>

The amendment not having received a majority vote of the total membership of the Convention required to add a Section to a Proposal was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Passage

The Proposal was read, as amended.

Delegate Perez moved the final passage of the entire Proposal.

ROLL CALL

The roll was called with the following result:

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<th>Delegates—</th>
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<tbody>
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Total—69.

NOT VOTING

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<td>Pugh</td>
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<td>Total—22.</td>
<td>Rachal</td>
</tr>
</tbody>
</table>

The amendment not having received a majority vote of the total membership of the Convention required to add a Section to a Proposal was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Gravel  Leithman  Soniat
Grier    Lowe    Stagg
Hardee  McDaniel  Stephens
Hayes    Martin   Stinson
Haynes  Maubertet  Stovall
Heine    Maybeuce  Sutherland
Hernandez   Mire  Tate
Jack     Morris   Thompson
Jackson, A.  Ourso  Tobias
Jackson, J.  Perez  Toca
Juneau  Perkins  Toomy
Kean    Planchard  Ulio
Kelly   Rayburn  Velazquez
Kilbourne  Reeves  Vexich
Kilpatrick  Riecke  Vick
Lambert  Roemer  Warren
Landrum  Roy    Wattigny
Landry, A.  Sandoz  Willis
Landry, E. J.  Schmitt  Winchester
Lanier  Shannon  Wisham
LeBleu  Singletary  Zervigon

Total—108.

Delegates—
Guarisco O'Neill Jenkins
Newton Total—4.

NOT VOTING
Delegates—
Aetker   Munson  Tapper
Alexander  Nunez  Thistlewaite
Bel    Pugh    Wall
Chehardy  Richal  Weiss
Drew   Segura  Womack
Leigh  Slay    
Miller  Smith  
Total—19

And the Chair declared that the above Proposal was finally passed.

Motion
On motion of Delegate Abraham, the Convention altered the Order of Business to take up other Orders of Business at this time.

Delegate Tate, chairman, on behalf of the Committee on Style and Drafting, submitted the following report:

State of Louisiana
Constitutional Convention of 1973

To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on Style and Drafting to submit the following report:

COMMITTEE PROPOSAL No. 3—
Introduced by the Delegate Blair, Chairman, on behalf of the Committee on Legislative Powers and Functions, and Delegates Casey, Fayard, Fulco, Ginn, Juneau, Kilpatrick, Landrum, LeBreton and O'Neill:

A PROPOSAL

Making provisions for the legislative branch of government, impeachment and removal of officials, and necessary provisions with respect thereto.

With the following amendments:

COMMITTEE AMENDMENTS
Amendments proposed by Committee on Style and Drafting to Committee Proposal No. 3 by Delegate Blair, et al.

Amend first enrolled Proposal as follows:

AMENDMENT No. 1—
On page 1, at the end of line 16, delete the word “DEPARTMENT” and insert in lieu thereof “BRANCH”

AMENDMENT No. 2—
On page 1, delete lines 17 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 1. Legislative Power; Composition; Continuous Body

Section 1. (A) Legislative Power of State. The legislative power of the state is vested in a legislature, composed of a Senate and a House of Representatives. The Senate shall be composed of one senator elected from each senatorial district. The House of Representatives shall be composed of one representative elected from each representative district."

AMENDMENT No. 3—
On page 1, delete lines 24 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Continuous Body. The legislature is a continuous body during the term for which its members are elected; however, a bill or resolution not finally passed in any session shall be withdrawn from the files of the legislature."

AMENDMENT No. 4—
On page 1, delete lines 29 through 33, both inclusive, in their entirety and on page 2, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 2. Sessions
Section 2. (A) Annual Session. The legislature shall meet annually in regular session in the state capital for more than sixty legislative days during a period of eighty-five calendar days. A legislative day is a calendar day on which either house is in session. No such session shall continue beyond the eighty-fifth calendar day after convening. The legislature shall convene at noon on the third Monday in April. No new matter intended to have the effect of law shall be introduced or received by either house after midnight of the fifteenth calendar day, except by a favorable record vote of two-thirds of the elected members of each house. No measure levying a new tax or increasing an existing tax shall be introduced or enacted during a regular session held in an odd-numbered year."

AMENDMENT No. 5—
On page 2, delete lines 10 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Extraordinary Session. The legislature may be convened at other times by the governor and shall be convened by the presiding officers of both houses upon written petition of a majority of the elected members of each house. The form of the petition shall be provided by law. At least five days prior to convening the legislature in extraordinary session, the governor or the presiding officers, as the case may be, shall issue a proclamation stating the objects of the session, the date on which it shall convene, and the number of days for which it is convened. The power to legislate shall be limited, under penalty of imprisonment, to the objects specifically enumerated in the proclamation. The session shall be limited to the number of days stated therein, which shall not exceed thirty calendar days."

AMENDMENT No. 6—
On page 2, delete lines 27 through 30, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Emergency Session. The governor may convene the legislature in extraordinary session without prior notice or proclamation in the event of public emergency caused by epidemic, enemy attack, or public catastrophe."

AMENDMENT No. 7—
On page 2, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3. The number of members of the legislature shall be provided by law, but the number of senators shall not exceed thirty-nine and the number of representatives, one hundred five."

AMENDMENT No. 8—
On page 3, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 4. Qualifications; Residence and Domicile Requirements; Term; Vacancies
Section 4. (A) Age; Residence; Domicile. An elector who at the time of qualification as a candidate has attained the age of eighteen years, resided in the state for the preceding
two years, and been actually domiciled for the preceding year in the legislative district from which he seeks election is eligible for membership in the legislature."

**AMENDMENT No. 9—**

On page 3, delete lines 7 through 28, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Domicile; Special Provisions. However, at the next regular election for members of the legislature following legislative reapportionment, an elector may qualify as a candidate from any district created in whole or in part from a district existing prior to reapportionment if he was domiciled in that prior district for at least one year immediately preceding his qualification and was a resident of the state for the two years preceding his qualification. The seat of any member who changes his domicile from the district he represents or, if elected after reapportionment, whose domicile is not within the district he represents at the time he is sworn into office, shall be vacated thereby, any declaration of retention of domicile to the contrary notwithstanding."

**AMENDMENT No. 10—**

On page 3, delete lines 27 and 28 in their entirety and insert in lieu thereof the following:

"(C) Term. A member of the legislature shall be elected for a four-year term."

**AMENDMENT No. 11—**

On page 3, delete lines 29 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Vacancy. A vacancy in the legislature shall be filled for the remainder of the term only by election, as provided by law."

**AMENDMENT No. 12—**

On page 3, delete lines 32 through 35, both inclusive, in their entirety and on page 4, delete lines 1 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 5. Legislative Reapportionment; Reapportionment by Supreme Court; Procedure. Section 5. (A) Reapportionment by Legislature. By the end of the year following the year in which the population of this state is reported to the president of the United States for each decennial federal census, the legislature shall reapportion the representation in each house so equally as practicable on the basis of population shown by the census."

**AMENDMENT No. 13—**

On page 4, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Reapportionment by Supreme Court. If the legislature fails to reapportion as required in Paragraph (A), the supreme court, upon petition of any elector, shall reapportion the representation in each house as provided in Paragraph (A)."

**AMENDMENT No. 14—**

On page 4, delete lines 10 and 11 in their entirety and insert in lieu thereof the following:

"(C) Procedure. The procedure for review and for petition shall be provided by law."

**AMENDMENT No. 15—**

On page 4, delete lines 12 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 6. Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion; Subpoenas; Contempt; Officers. Section 6. (A) Judging Qualifications and Elections; Procedural Rules; Discipline; Expulsion. Each house shall be the judge of the qualifications and elections of its members; shall determine its rules of procedure, not inconsistent with the provisions of this constitution; may punish its members for disorderly conduct or contempt; and may expel a member with concurrence of two-thirds of its elected members. Expulsion creates a vacancy in the office."

**AMENDMENT No. 16—**

On page 4, delete lines 21 through 26, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Subpoena Power; Contempt. Each house may compel the attendance and testimony of witnesses and the production of books and papers before it, before any committee thereof, or before joint committees of the houses and may punish those in willful disobedience of its orders for contempt."

**AMENDMENT No. 17—**

On page 4, delete lines 27 through 34, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Officers. Each house shall choose its officers, including a permanent presiding officer selected from its membership. The presiding officers shall be the president of the Senate and the speaker of the House of Representatives. The clerical officers shall be the clerk of the House of Representatives and the secretary of the Senate, each of whom may administer oaths."

**AMENDMENT No. 18—**

On page 5, delete lines 1 through 6, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 7. A member of the legislature shall be privileged from arrest, except for felony, during his attendance at sessions and committee meetings of his house and while going to and from them. No member shall be questioned elsewhere for any speech in either house."

**AMENDMENT No. 19—**

On page 5, delete lines 8 through 13, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 8. Legislative office is a public trust, and every effort to realize personal gain through official conduct is a violation of that trust. The legislature shall enact a code prohibiting conflict between public duty and private interests of members of the legislature."

**AMENDMENT No. 20—**

On page 5, delete lines 14 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Quorum; Compulsory Attendance; Journal; Adjournment With Consent of Other House. Section 9. (A) Quorum. Not less than a majority of the elected members of each house shall form a quorum to transact business, but a smaller number may adjourn from day-to-day and may compel the attendance of absent members."

**AMENDMENT No. 21—**

On page 5, delete lines 20 through 25, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Journal. Each house shall keep a journal of its proceedings and have it published immediately after the close of each session. The journal shall accurately reflect the proceedings of that house, including all record votes. A record vote is a voyage year and nays, with each member's vote published in the journal."

**AMENDMENT No. 22—**

On page 5, delete lines 26 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Adjournment. When the legislature is in session, neither house shall adjourn for more than three days or to another place without consent of the other house."

**AMENDMENT No. 23—**

On page 5, delete lines 31 through 35, both inclusive, in their entirety and on page 6, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 10. There shall be a legislative auditor responsible solely to the legislature. He shall serve as a fiscal advisor to it and shall perform the duties and functions provided by law related to auditing fiscal records of the state, its agencies, and political subdivisions. He shall be elected by the concurrence of a majority of the elected members of each house and may be removed by the concurrence of two-thirds of the elected members of each house."

**AMENDMENT No. 24—**

On page 6, delete lines 5 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 11. Compensation of Elected Public Officials; Reduction. Section 11. The compensation of an elected public official shall not be reduced during the term for which he is elected."
AMENDMENT No. 25—
On page 6, delete lines 9 through 19, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 13. Local or Special Laws; Notice of Intent; Publication required. No local or special law shall be enacted unless notice of the intent to introduce a bill to enact such a law has been published on two separate days, without cost to the state, in the official journal of the locality where the matter to be affected is situated. The last day of publication shall be at least thirty days prior to introduction of the bill. The notice shall state the substance of the contemplated law, and every such bill shall recite that notice has been given."

AMENDMENT No. 26—
On page 6, delete lines 21 through 23, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 14. (A) No Immunity in Contract and Tort. Neither the state nor its agencies or political subdivisions shall be immune from suit and liability in contract or for injury to person or property."

AMENDMENT No. 27—
On page 6, delete lines 24 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Waiver of Suits. The legislature may authorize other suits against the state, its agencies, and political subdivisions. A measure authorizing suit shall waive immunity from suit and liability."

AMENDMENT No. 28—
On page 6, delete lines 28 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"(C) Procedure; Judgments. The legislature shall provide a procedure for suits against the state, a state agency, or a political subdivision. It shall provide for the effect of a judgment, but no public property or public funds shall be subject to seizure. No judgment against the state, a state agency, or a political subdivision shall be exigible, payable, or paid except from funds appropriated therefor by the legislature or by the political subdivision against which judgment is rendered."

AMENDMENT No. 29—
On page 7, delete lines 4 through 12, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 15. The legislature shall provide for orderly and temporary continuity of state government, in periods of emergency, until normal processes of government can be reestablished in accordance with the constitution and laws thereof. This provision, and except as otherwise provided by this constitution, for the prompt and temporary succession to the powers and duties of public offices when incumbents become unavailable to perform their functions."

AMENDMENT No. 30—
On page 7, delete lines 14 through 17, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 16. The style of a law enacted by the legislature shall be, "Be it enacted by the Legislature of Louisiana."
It shall be unnecessary to repeat the enacting clause after the first section of an act."

AMENDMENT No. 31—
On page 7, delete lines 19 through 29, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 17. (A) Introduction: Title: Single Object: Public Meetings. The legislature shall enact no law except by a bill introduced during that session, and propose no constitutional amendment except by a joint resolution which shall be a bill. Every bill, except the general appropriation bill and bills for the enactment, rearrangement, codification, or revision of a system of laws, shall be confined to one object. Every bill shall contain a brief title indicative of its object. Action on any matter intended to have the effect of law shall be taken only in open, public meeting."

AMENDMENT No. 32—
On page 7, delete lines 30 through 33, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) No General Reference. A bill enacting, amending, or reviving a law shall set forth completely the provisions of the law enacted, amended, or revived. No system or code of laws shall be adopted by general reference to it."

AMENDMENT No. 33—
On page 7, delete lines 34 and 35 in their entirety and on page 8, delete line 1 and insert in lieu thereof the following:

"(C) Germane Amendments. No bill may be amended in either house to make a change not germane to the bill as introduced."

AMENDMENT No. 34—
On page 8, delete lines 2 through 5, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Three Readings. Each bill shall be read at least by title on three separate days in each house. No bill shall be considered for final passage unless a committee has held a public hearing and reported on the bill."

AMENDMENT No. 35—
On page 8, delete lines 6 through 9, both inclusive, in their entirety and insert in lieu thereof the following:

"(E) Amended Bills; Reconsideration. No bill rejected by either house may again be introduced or considered during the same session by the house which rejected it without the consent of a majority of the members elected to that house."

AMENDMENT No. 36—
On page 8, delete lines 10 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"(F) Concurrence in Amendments. No amendment to a bill by one house shall be concurred in by the other, and no conference committee report shall be concurred in by either house except by the same vote required for final passage of the bill. The vote thereon shall be by record vote."

AMENDMENT No. 37—
On page 8, delete lines 15 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

"(G) Majority Vote; Record Vote. No bill shall become law without the favorable vote of at least a majority of the members elected to each house. Final passage of a bill shall be by record vote. In either house, a record vote shall be taken on any matter upon the request of one-fifth of the elected members."

AMENDMENT No. 38—
On page 8, delete lines 22 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(H) Specific Appropriation for One Year. No money shall be withdrawn from the state treasury except through specific appropriation. Except as otherwise provided in this constitution, no appropriation shall be made under the heading of contingencies, nor shall any appropriation be made for longer than one year."

AMENDMENT No. 39—
On page 8, line 26, after "(B)"
(continued on next page)
AMENDMENT No. 43—

On page 9, delete lines 10 through 14, both inclusive, in their entirety and insert in lieu thereof the following:

"(A) Gubernatorial Action. A bill, except a joint resolution, shall become law if the governor signs it or if he fails to sign or veto it within ten days after delivery to him if the legislature is in session, or within twenty days if the legislature is adjourned.

(B) Veto. If the governor does not approve a bill, he may veto it. When he vetoes a bill, he shall return it to the legislature, with his veto message, within twelve days after delivery to him if the legislature is in session. If the legislature adjourns before he vetoes or returns one or more bills, he shall return them, with his veto message, as provided by law. A bill returned and subsequently approved by two-thirds of the elected members of each house shall become law.

(C) Veto Session. The legislature shall meet in veto session in the state capital at noon on the fortieth day following final adjournment of the most recent session, to consider bills returned by the governor. If the fortieth day falls on a Sunday, the session shall convene at noon on the succeeding Monday. No veto session shall exceed five calendar days, and any veto session may be finally adjourned prior to the end of the day upon the vote of two-thirds of the elected members of each house.

No veto session shall be held if a majority of the elected members of either house declare in writing that a veto session is unnecessary. The declaration must be received by the presiding officer of the respective houses at least five days prior to the day on which the veto session is to convene.

Section 22. Only the legislature may suspend a law, and then only by the same vote and, except for gubernatorial veto and time limitations for introduction, according to the same procedures and formalities required for enactment of that law. After the effective date of this constitution, every resolution suspending a law shall fix the period of suspension, which shall not extend beyond the sixty-sixth day after final adjournment of the next regular session."
AMENDMENT No. 50—
On page 11, delete lines 32 through 35, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 27. (A) Full Term. Members of the legislature shall take office on the same day as the governor and other officials elected statewide."

AMENDMENT No. 59—
On page 12, delete lines 1 through 3, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Filling Vacancy. A person elected to fill the remainder of an unexpired legislative term shall take office within thirty days after the secretary of state promulgates the election returns."

NOTE: If Amendments No. 58 and No. 59 are adopted, they will replace Amendments No. 54 and No. 55, previously adopted. The Committee on Style and Drafting and the Committee on Legislative Powers and Functions recommend their adoption because some disagreement exists about the text of Section 27(A) & (B) which the convention actually adopted. A check of the verbatim transcript reveals that this amendment was in fact the language adopted by this convention.

AMENDMENT No. 60—
On page 3, delete lines 29 through 31, both inclusive, in their entirety and insert in lieu thereof the following:

"(D) Vacancy. A vacancy in the legislature shall be filled for the remainder of the term only by election, by the electors of the respective district, as provided by law."

NOTE: If this amendment is adopted, it will replace Amendment No. 11, previously adopted. The Committee on Style and Drafting recommends the adoption of this amendment because as adopted by the convention, the possibility exists, under the language in Section 4(D), that the legislature could provide by law that a vacancy in legislative office would be filled by an election held among the members of the house in which the vacancy occurred.

Respectfully submitted,
ALBERT TATE, JR., Chairman.

And the above Proposal, together with the amendments proposed by the Committee on Style and Drafting, lies over under the Rules under Proposals on Calendar for Approval of Final Styling.

Motion

On motion of Delegate Tobias the following manual on Style and Drafting was ordered inserted in the Official Journal:

MANUAL ON STYLE AND DRAFTING
February 1973
Prepared and Adopted by the Committee on Style and Drafting

INTRODUCTION

The purpose of this Manual on Style and Drafting is to suggest guidelines to assure the most effective and consistent preparation of the proposed constitution for the State of Louisiana. The guidelines include organizational format, style, punctuation, capitalization, citation of authority, and abbreviators. These guidelines are to produce clear, consistent, specific, and uniform provisions. (See C.C./73 Rules of Procedure 47 and 50, Appendix I)

GENERAL GUIDELINES

1. The general rule of state constitutional interpretation is: The provisions of a state constitution are limitations on the power of the people exercised through the legislature; what is not prohibited by the constitution is permitted. Therefore, the legislature is empowered to enact any law not prohibited by the constitution; it is unnecessary to specify, for example: The legislature has the power to enact laws providing for punishment for crime. In the absence of constitutional prohibition, the legislature has that power.

2. The rules of the convention provide the format for proposals. (See C.C./73 Rules of Procedure 41, Appendix II)

3. The committee recommends that each substantive committee submit, in addition to its formal proposal, a committee report which will indicate with each section of its proposal the source of the section, if any (e.g., Article and Section of the Constitution of 1921), and a very brief statement of the reasons for the proposed section. These committee reports will aid the delegates in understanding what is being done and why. In addition, they may be of aid in the future interpretation of constitutional provisions.

Example

PROPOSED SECTION:

Article .... Section .... Rights of Assembly and Petition

Section .... The people have the right to assemble peaceably and to seek from those vested with the powers of government a redress of grievances.


Comment: Modernization of language; no change of substance.

4. To the extent possible delegate proposals should conform to the form of proposals submitted by the substantive committees.

5. If there is a close division among the members of any substantive committee on any proposed section, that committee may wish to consider submitting alternative proposals.

6. Major substantive subjects should be set forth in several major articles (e.g., Article I—Bill of Rights; Article II—etc.). Under each article the provisions will be divided, where necessary, into consecutively designated sections, paragraphs, and subparagraphs as follows:

Example

Article II, Section 1. (Heading)

(A) .... (Paragraph designation)

(B) ....

(1) .... (Subparagraph designation)

(2) ....

(b) ....

(i) ....

(ii) ....

Every effort should be made to avoid use of subparagraph designations below (1), (2) in the above example.

Note that each section, but not each paragraph or subparagraph, should have a brief heading describing what that section contains or provides. The heading serves as a quick guide to content.

7. Unless in conflict with a provision of this Manual: (a) Webster's Seventh New Collegiate Dictionary will govern spelling, abbreviation, punctuation, and capitalization; (b) Strunk and White's The Elements of Style (2nd Edition) will govern style; and (c) A Uniform System of Citation (11th Edition) published by the Harvard Law Review will govern citation of all legal authority.

SPECIFIC RULES

In the interest of consistency, the following specific rules

1 Kates v. La. Com'n on Governmental Ethics, 250 So. 825, 196 La. 64 (1949); White v. McAllister, 255 So. 1019, 196 La. 445 (1948)
A. Numerals and Dates

Rule 1. Spell out all numerals, except dates.

Rule 2. Dates should be written as follows: “April 1, 1973.” Do not add “st,” “nd,” “rd,” or “th” to the day of the month if it is followed by the year. If the year is not stated, the day of the month should be spelled out.

Rule 3. When describing a period of time, make clear which are the first and last days.

Example

Use the form “after June tenth . . . and before July first.” Do not use the form “from June tenth . . . [to] [until] [by] July first,” nor the form “between June tenth and July first.”

Rule 4. If a period of time is measured in whole days only, say “day” or “date” instead of “time.”

Example

Do not say “thirty days after the time when . . . .” but say “thirty days after the day on which . . . .”

B. Words and Phrases

Rule 5. Omit needless words and use short words and sentences. If a word has the same meaning as a phrase, use the word.

Examples

Do not Use: Suggested:
- at the time when
- by means of apply
- cause it to be done have it done
- does not operate to while
- during during
- the course of to --------- because
- for the reason that consider
- give consideration to need
- have a need to where, when, if to
- in cases in which if
- in order to for
- in the event that, in case if
- in the interests of can
- is able to applies
- is applicable binds
- is binding upon cannot
- is unable to shall
- is directed, it is the duty may
- it shall be lawful apply
- make application by
- on the part of period, time
- provided that if, however, law
- provisions of law under
- pursuant to that
- subsequent to until
- to the effect that until such time as
- under the provisions of under
- with the object of ----ing to ---------

Rule 6. Select familiar words and phrases that best express the intended meaning according to common and approved usage. Avoid hackneyed words of reference.

Rule 7. If the duty is to be mandatory, use “shall,” “must,” or “directed.” If the duty is discretionary, use “may,” “authorized,” or “permitted.”

Rule 8. Whenever “there are,” “there is,” or “it is” appear, revise the sentence.

D. Punctuation and Capitalization

Rule 9. Avoid abbreviations if possible, except in citation of authority.

Example

Incorrect: “There are numerous jurisdictions which apply this principle.”

Suggested: “Numerous jurisdictions apply this principle.”

Rule 10. Generally, short sentences are preferred.

Rule 11. Use active voice, indicative mood, and present tense to facilitate readability.

Example

Incorrect: “It was held by the court in the case of Doe v. Roe that a right of action was stated by the allegations in the petition.”

Suggested: “In Doe v. Roe, the court held that the allegations in the petition state a right of action.”

Rule 12. Use the singular noun wherever possible.

Example

Incorrect: “District courts may enact rules for the proper administration of business.”

Suggested: “A district court may enact rules for the proper administration of business.”

Rule 13. Be concise. A sentence should contain no unnecessary words, a paragraph no unnecessary sentences.

Rule 14. Unrelated ideas should be developed in separate sentences or paragraphs. Unrelated concepts should be in separate sections.

Rule 15. Avoid defining words or terms where possible. For the purposes of a constitution, words and terms should be self-explanatory.

Rule 16. Reference to statutorily created departments, agencies, offices, or the like should be avoided, so that they will not be given constitutional status. Reference to statutory material should be avoided in order that the constitution be complete in itself.

Rule 17. Enumerations may be interpreted as excluding all items not enumerated. Therefore, care should be taken to indicate whether the enumeration, where used, is illustrative or exclusive. Exceptions to a provision may be interpreted as being the only ones permitted.

Rule 18. To indicate generally that there are exceptions to the application of a constitutional provision, use “except as otherwise provided by this constitution [or this Article].”

If an exception is specific, and refers to a designated provision, use “except as provided by [Article VII].”

Place an exception at the beginning of a sentence when (1) the exception is specific, (2) the exception is intended to modify both or all of two or more separate clauses in the sentence, or (3) clarity or emphasis is promoted by such placement.

D. Punctuation and Capitalization

Rule 19. Avoid using italics, parentheses, or dashes.

Rule 20. Use commas before “and” and “or” in a series of three or more words or phrases. Use a comma after such words as “hence,” “therefore,” and “however.”

Example

“The Public Service Commission shall regulate telephone, utility, and railroad tariff within the state.”

Rule 21. Do not use hyphens after the prefixes “re” or “non” unless the dictionary so directs. If an alternative is permitted, use the nonhyphenated form. Use a hyphen between words that serve as a single adjective before a noun. Groups of three or more words are hyphenated. When the base words begins with a capital letter, a prefix is usually joined with a hyphen.
Examples
reestablish nonresident
day-to-day non-Communist

Rule 22. Capitalize a governmental title when it precedes a proper name.

Examples
the president
the governor
Governor Edwards
speaker of the House
Speaker of the House Henry
secretary of state
Secretary of State Wade O. Martin, Jr.
director of the State Department of Public Safety
sheriff
Sheriff Jones

Rule 23. Capitalize the names of governmental departments and political subdivisions.

Examples
State Department of Public Safety
Department of Public Works
police jury
Jefferson Parish Police Jury
police jury of the parish of Jefferson
school board
Caddo Parish School Board
school board of Caddo Parish
school board of the parish of Caddo
the legislature of Louisiana
the Louisiana Legislature
the legislature
the House of Representatives
the Senate

Rule 24. Capitalize political terms that form an integral part of a specific proper name.

Examples
the parish
the parish of Jefferson
Jefferson Parish
levee district
Pontchartrain Levee District
State of Louisiana
the city
the city of Baton Rouge
Bossier City

Rule 25. Capitalize the names of specific courts.

Examples
a district court
Nineteenth Judicial District Court
Criminal District Court for the Parish of Orleans
a court of appeal
Court of Appeal for the First Circuit
Supreme Court
Supreme Court of Louisiana


Examples
the Constitution of the United States
the Constitution of the State of Louisiana
the constitutions of the several states
the proposed constitution
this constitution

E. Citation of Louisiana Legal Authority

Rule 27. Certain legal authorities and references, useful as explanatory material, are found in case books, statutory provisions, legal works, and other documents. Citation of authority, where used, shall be abbreviated as shown in the following examples:

Cases:
Roe v. Doe, 240 La. 789, 150 So.2d 70 (1973)
Jones v. Smith, 261 So.2d 695 (La. App. 1973)
Jack v. Brown, 2 Mart. (Q.S.) 406 (1819)
Cooper v. White, 6 Mart. (N.S.) 510 (1840)
Simon v. Ponder, 4 Rob. 416 (1842)

Statutes:
Act 2 of 1972
La. R. S. 40:1140
La. Civ. Code Art. 916
La. Const. Art. VII, § 2 (1921)
22 Tul. L. Rev. 225 (1960)
La. R.S. 13:3601 (as amended by Act 22 of 1938)
Act 3 of Extra. Sess. of 1972

APPENDIX I

Rule No. 47. Style and Drafting. When all proposals have been processed, the entirety of those adopted shall be sent to the Committee on Style and Drafting for arrangement in the new proposed Constitution, to the end that the document shall be properly coordinated and uniform in style, and such final draft must be approved by a majority of the delegates to the Convention.

Rule No. 50.

2. Committee on Style and Drafting, which shall have control over literary style, consistency, arrangement and numbering. The committee shall have authority to rephrase or to group proposed language, but shall have no authority to change the sense or purpose of any proposal referred to it. Where a proposal referred to it is inconsistent or in conflict with a proposal already acted on favorably by the convention the committee shall at the third reading (Rule 41H) so notify the convention of that inconsistency or conflict and wait upon its instructions.

APPENDIX II

Rule No. 41. Form of Proposals. Delegates proposals shall be distinguished from committee proposals and all proposals shall be separately numbered. All proposals shall be introduced or submitted in eight copies. All proposals must be typed, double spaced on 8½-by-14-inch paper in a type face with excellent reproduction qualities. A margin of one inch on the left and right side and at the top and bottom shall be preserved. The lines on each page shall be numbered consecutively from top to bottom at the left margin, and the left typing margin shall be two spaces to the right of the line numbers. Pages commencing with page two shall be numbered at the top center of the page. The original of all proposals shall remain in the custody of the Convention. The secretary shall, as soon as any proposal is printed, place it on the desks of the delegates. The caption of each proposal shall be substantially in the following form:

Constitutional Convention of Louisiana of 1973
PROPOSAL

(Committee or Delegate) (Number)

Introduced by
(Name of Delegate or Committee Chairman)

Each proposal shall also contain a short title stating concisely the general nature of its subject matter.

Leaves of Absence
Delegate Tate—½ day.
Delegate Ull—½ day.
Delegate Drew—1 day.
Delegate Chehardy—1 day.
Delegate Vesich—½ day.

Adjournment
Delegate Stagg moved that the Convention do now adjourn until Friday, November 9, 1973 at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, November 9, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
Prayer

Prayer was offered by Delegate Rachal.

Pledge of Allegiance

Delegate Giarrusso led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Roy, the reading of the Journal was dispensed with.

On motion of Delegate Roy, the Journal of yesterday was adopted.

Morning Hour

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Motion

On motion of Delegate Aertker Committee Proposal No. 7, was taken out of its regular order and acted upon as follows:

COMMITTEE PROPOSAL No. 7—

Introduced by Delegate Aertker, Chairman, on behalf of the Committee, the Committee on Education and Welfare and Delegates Car- pcmue, Cowen, Fluroy, Hernandez, Landry, Segura, Silverberg, Thistlewaite, Toce and Wisham:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

Section I. Educational Goals

Section I. The goal of the public educational system shall be to provide, at all stages of human development, learning environments and experiences that are humane, just, and designed to promote excellence in order that every individual may be afforded the opportunity to develop to his full potential.

Read.

Delegate A. Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates A. Jackson and Haynes to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 1, line 17, after the word “afforded” delete the word “the” and insert in lieu thereof the words “an equal”

Delegate A. Jackson moved the adoption of the amendment.

Delegate Singleton objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aertker
Asseff
Bergeron
Blair
Brien
Brown
Burson
Casey
Champagne
Chehardy
Comar
Conino
Correy
Corne
Cowen
D’Gerolamo
De Blieux
Dennery
Dennis
Derbes
Deshotsels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

Prayer

Champagne
Chehardy
Comar
Conino
Correy
D’Gerolamo
De Blieux
Denney
Dennis
Derbes
Deshotsels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

Total—118.

ABSENT

Delegates—

Aertker
Asseff
Bergeron
Blair
Brien
Brown
Burson
Casey
Champagne
Chehardy
Comar
Conino
Correy
D’Gerolamo
De Blieux
Denney
Dennis
Derbes
Deshotsels
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot

Total—13.

The Chairman announced that there were 118 members present and a quorum.
Gravel
Grier
Hayes
Haynes
Jackson, A.
Jackson, J.
Kelly
Kilpatrick
Lambert
Landrum
Landry, E. J.
Leithman
Lowe
Martin
Maybuck
Total—71.

NAYS

Delegates—
Alario
Anzalone
Arnette
Avant
Badeaux
Bollinger
Cannon
Chatelein
Cowie
Cowan
Duval
Total—33.

NOT VOTING

Delegates—
Mr. Chairman
Abraham
Alexander
Bel
Carmouche
Dreux
Edwards
Fayard
Fontenot
Total—27.

And the amendment was adopted.

Delegate A. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Conroy sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Conroy to Committee Proposal No. 7 by Delegate Auker, et al. Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 1, delete line 12 in its entirety and insert in lieu thereof the word “Preamble” and on line 13, at the beginning of the line delete “Section 1.”

Delegate Conroy moved the adoption of the amendment.

Delegate A. Jackson objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Auker
Alario
Anzalone
Arnette
Asseff
Total—28.

And the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 7, Section 1 was read, as amended.

Delegate Auker moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Auker
Alario
Anzalone
Asseff
Avant
Badeaux
Bollinger
Cannon
Chatelein
Comar
Cowie
Conroy
Cowan
Total—29.

Hernandez
Jackson, A.
Jackson, J.
Juneau
Kean
Kelly
Kilpatrick
Landrum
Landry, E. J.
Leithman
Lowe
McDaniel
Martin
Maybuck
Mire
Morris
O'Neill
Oso
Perkins
Planchar
Riecke
Sandor
Shannon
Singletary
Slay
Stagg
Stinson
Sutherland
Tate
Tobias
Tooma
Toomby
Ullo
Velazquez
Vesich
Vick
Warren
Weiss
Wiseman
Zervigon

NAYS

Delegates—

Auker
Blair
Brien
Burson
Champagne
Comar
Flory
Powder
Ginn
Haynes
Jackson, A.
Total—31.

Schmitt
Soniat
Wesel
Wigles
Winston
Wisham
Wisham

NOT VOTING

Delegates—
Mr. Chairman
Abraham
Alexander
Bel
Brown
Derby
Drew
Edwards
Fayard
Fontenot
Total—28.

Pugh
Rayburn
Segura
Smith
Tapper
Tilghman
Tocen
Wall
Womack

And the amendment was adopted.

Delegate Conroy moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 7, Section 1 was read, as amended.

Delegate Auker moved the final passage of the Section.
And the Chair declared that the above Section was finally passed.

Delegate Haynes moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

**Section 2. Pubic Educational System**

Section 2. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system consisting of all public schools and institutions of learning supported in whole or in part by state funds, the funds of any political subdivision there- or, or both.

Read.

Delegate Rachal sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Rachal to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 22, after the word “system” insert a period “,” and delete the remainder of the line and delete lines 23, 24, and 25 in their entirety.

Delegate Rachal moved the adoption of the amendment.

Delegate Sutherland objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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**DELEGATES—**

**YEAS—**

**NAYS—**

**ROLL CALL**

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**DELEGATES—**

**YEAS—**

**NAYS—**
PAGE 4

82nd Days Proceedings—November 9, 1973

Leithman
McDaniel
Maybuee
Mire
Morris
Newton
O’Neill
Perkins
Pinechard
Rachal
Reeves
Riecke
Roemer

Roy
Sandoz
Schmitt
Shenley
Singletary
Slay
Soniat
Siagg
Sinson
Stovall
Sutherland
Tapper
Tate

Thompson
Tobias
Toca
Tocny
Ulo
Velasquez
Warren
Wattigny
Weiss
Willis
Winchester
Wisham
Zerigvon

Total—93.

Delegate Jenkins.

Total—1.

NAYS

Delegates—

Abraham
Alexander
Bel
Blair
Brown
Burns
Comar
De Blieux
Dennis
Drew
Duval
Edwards
Fontenot

Gusirisco
Haynes
Heine
Jack
Jackson, A.
Kean
Lowe
Martin
Mauherret
Miller
Munson
Nunez
Oruso

Perez
Pugh
Rayburn
Segura
Smith
Stephenson
Thistlethwaite
Vesich
Vick
Wall
Womack

Total—37.

And the Chair declared that the above Section was finally passed.

Delegate Carmouche moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg in the Chair

Section 3. State Superintendent of Public Elementary and Secondary Education

Section 3. (A) Term. There shall be a state superintendent of public education for elementary and secondary education, who shall be appointed by the State Board of Elementary and Secondary Education for a term not to exceed four years.

(B) Qualifications. The state superintendent shall possess the qualifications required of parish school superintendents and such additional qualifications as may be fixed by law.

(C) Functions. The powers, duties, responsibilities, and salary of the state superintendent of public education shall be prescribed by law.

Read.

Delegate Aertker moved that action on the above Section be deferred at this time.

Delegate Flory objected.

By a vote of 55 years and 41 nays the Convention deferred action on Section 3 at this time.

Chairman Henry in the Chair

Motion

On motion of Delegate A. Landry the communication from former Delegate Silverberg was ordered inserted in the Official Journal as follows:

Ladies and Gentlemen, Delegates to the Constitutional Convention: It is a personal tragedy to me that I am unable to be with you today, and to deliver these remarks in person. I have worked hard in this convention, and have spent much time in its deliberations. In so doing, I was afforded a rare opportunity to “bone up” for the job, and especially for that portion of it dealing with higher education in the State of Louisiana.

A full year before the Convention opened I was privileged to be a member of a lay committee which made an exhaustive study of the governance of higher education in Louisiana and elsewhere. In that capacity I heard testimony from many advocates of every conceivable system of governance: superboards, single boards, multiple boards, no boards. In the course of months I helped to put all these systems under the microscope in an honest effort to determine which type of government might fit the special situation here in Louisiana. As a member of the Education and Welfare Committee, I also took part in the more than six months of deliberations which culminated in the adoption of Committee Proposal Number 7. I am convinced that Committee Proposal 7 is the correct course for Louisiana.

By way of review, it provides for a Board of Regents to be responsible for over-all planning and coordination of the entire system of higher education, and separate supervisory boards—one to conduct day-to-day management of the campuses of the LSU System, another to perform the same management function for all other state institutions of higher education.

Our committee gave due consideration to a number of alternative proposals. We patiently listened to all sorts of testimony, including even that from a newspaper reporter who later was found to be totally erroneous. I found to be worthless any proposal which has surfaced recently which would alter my feelings that Committee Proposal 7 is the best plan for higher education in Louisiana.

It has been proposed that all details of governance of higher education be omitted from the new Constitution. Too many persons, no one who is aware of the history of the Louisiana scandals of the 1930’s could take such a proposal seriously, merely in the interests of brevity. The protection of our colleges and universities must be spelled out in detail, and must be afforded constitutional status so that it will bring any changes of administrative or political upheaval that may occur in the future. In this case, brevity must be sacrificed for the sake of continuity and stability.

It has also been proposed that the total governance of higher education be entrusted to a single board, which would presumably attend to all the planning, coordination and day-to-day management of the 19 units of higher education in the state. Concerning this plan, I can only repeat what I have been saying for months: that it is a practical impossibility. There is undoubtedly something to be said for a single-board system in small states where only a minimal number of institutions are to be governed. The overwhelming experience is that it is not practical for such institutions to work with as many institutions as Louisiana now has. Somewhere, some time, something has to give; and the evidence is that in the press of day-to-day housekeeping, it’s always the planning and coordination that finishes last.

I am firmly persuaded that the committee’s Proposal 7 constitutes the last, best hope for higher education in Louisiana. It will enable us to change what is wrong with our system without destroying the continuity of what is good—and there is much that is worth keeping.

One of the things I like best about this plan is that it does not represent any special pleading on behalf of any single institution or section of the State. The protections that it affords are of equal benefit to every institution in Louisiana, bar none, it could not have been supported it otherwise because, although I am an alumnus of the state university, I am also a long-time resident of a city where another state institution is located.

Let me stress again that this plan has the strong, powerful “super-board” in it. The Board of Regents is empowered with complete mission control and the power of the purse—budgetary responsibility. It is also mandated to develop a formula for equitable distribution of funds. But it is not to be fettered with the day-to-day operating problems of any institution. The two subordinate boards will handle the supervision and management. This is very much similar in practice to what we have in elementary and secondary education today—that is, a State Board of Education to set state-
wide policy, and 66 local school boards to execute those policies.

It was my fond hope that I would be with you today to follow this job through to its conclusion, because I feel very strongly about what we are doing. Since the condition of my health has made that impossible, I have entrusted my thoughts to my friend and colleague, Ambrose Landry, in the hope that you will see fit to support the majority report of the Health, Education & Welfare Committee. It has my wholehearted endorsement.

Thank you for listening to my remarks. Please accept my sincere best wishes for a successful Convention.

Sincerely,

JOE N. SILVERBERG

Section 4. State Board of Elementary and Secondary Education

Section 4. (A) Creation; Function. There is created a body corporate, known as the State Board of Elementary and Secondary Education. The board shall supervise, control, and have budgetary responsibility for all funds appropriated or allocated by the state for all public elementary and secondary schools and special schools under its jurisdiction, as provided by law. The board shall have such other specific powers, duties, and responsibilities as are provided by law, but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees.

(B) Membership; Terms. The board shall consist of three members who shall be appointed by the governor, with the consent of the Senate from the state at large, and eight members who shall be elected from single-member districts to be determined by the legislature. All members shall serve overlapping terms of six years, following the initial terms which shall be determined by the governor or the legislature, as the case may be, in a manner as to effectuate this purpose.

(C) Vacancies. Vacancies occurring for any cause prior to the expiration of the term shall be filled by appointment by the governor for the remainder of the unexpired term. Members shall serve without pay except for such per diem and expenses as shall be fixed by the legislature.

Read.

Delegate Leithman sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Leithman to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 7 through 32, both inclusive in their entirety and on page 3, delete line 1 in its entirety, and insert in lieu thereof the following:

"Section 4. Boards of Education

Section 4. (A) There is created a body corporate, known as the Board of Public Education. The board shall supervise, control, and have budgetary responsibility for all precollegiate public education. The board shall have such other specific powers, duties, and responsibilities as are provided by law, but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees. The board shall consist of eleven members. One member shall be elected from each of the congressional districts into which the state is divided and an additional number of members shall be appointed by the governor, with the consent of the Senate, from the state at large. All members shall serve overlapping terms of six years, following the initial terms which shall be determined by the legislature in a manner as to effectuate this purpose. The board shall elect a chairman to serve for such terms as it may deem appropriate."

Delegate Leithman moved the adoption of the amendment. Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

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776
And the amendment was rejected.

Delegate Aertker moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Vice-Chairman Roy in the Chair**

Delegate Juneau sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Juneau, Leithman and Corne to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 7 through 32, both inclusive, in their entirety and on page 3, delete line 1 in its entirety and insert in lieu thereof the following:

"Section 4. Educational Boards

Section 4. The legislature shall establish such board or boards as may be necessary to meet the educational needs of the state. The duties and responsibilities of such board or boards shall be provided by law."

Delegate Juneau moved the adoption of the amendment.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Alario     Badeaux     Bergeron     Bollinger    Casey     Chatelain     Chehardy     Conino     Corne     D’Geronimo     Derbes     Drew     Guthier

Giarrusso     Haynes     Jackson, A.     Jackson, J.     Juneau     LeBleau     Leithman     Rachel     Reeves     Roemer     Schmitt     Singleyary     Soniat

Tapper     Tobias     Toca     Toomy     Ulo     Velazquez     Verich     Vick     Warren     Weiss     Willis     Zervigon

Delegates—

Aertker     Anzalone     Arnette     Asself     Avant     Brien     Burns     Burson     Cannon     Carmouche     Champagne     Comar     Conroy     Cowen     De Bieux

Dennery     Dennis     Deshotels     Dunlap     Ellkins     Fayard     Flory     Fontenot     Fowler     Fules     Ginn     Goldman     Graham     Gravel     Grier

Hardee     Hayes     Heine     Hernandez     Jack     Jenkins     Kean     Kelly     Kilbourne     Kilpatrick     Landry, A.     Landry, E. J.     Lanier     Leigh     McDaniel

Delegates—

Martin     Maybeke     Mire     Morris     O’Neill     Perkins     Planchard     Riecke

Thistlethwaite     Tobias     Wall     Womack

Total—67.

Delegates—

Mr. Chairman     Abraham     Alexander     Bel     Blair     Brown     Duval     Edwards     Guirisco

Landrum     Lowe     Mauberret     Miller     Munson     Newton     Nunez     Ourso     Pugh     Rayburn     Segura     Smith     Thistlethwaite     Wall     Womack

Total—26.

**NOT VOTING**

Delegate Aertker moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Shannon sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Shannon to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, line 20, after the word and punctuation "Terms," delete the remainder of the line and delete lines 21, 22, and 23 in their entirety and at the beginning of line 24 delete the words and punctuation "to be determined by the legislature.

"The board shall be composed of one member elected from each congressional district and one member elected from each public service commission district."

**AMENDMENT No. 2—**

On page 2, line 26, after the words "shall be" delete the remainder of the line and delete lines 27 and 28 in their entirety, and insert in lieu thereof the following:

"fixed by law."

On motion of Delegate Gravel a division of the question was ordered.

Delegate Shannon moved the adoption of the Amendment No. 1.

Delegate Tobias objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Anzalone     Asself     Bolinger     Cannon     Chatelain     Conre     Derbes     Drew     Fayard

Fowler     Heine     Jenkins     Juneau     Kean     LeBleau     O’Neill     Perkins

Roemer     Shannon     Stepherson     Stinson     Ulo     Weiss     Willis

Delegates—

Aertker     Alario     Arnette     Avant     Badeaux     Bergeron

Brien     Burns     Burson     Carmouche     Casey     Champagne

Comar     Conino     Conroy     Cowen     D’Geronimo     De Bieux
NOT VOTING

Mr. Chairman—Kilbourne
Abraham—Lambert
Bel—Kilpatrick
Brown—Mauberret
Duval—Munson
Edwards—Newton
Guarisco—Nunez

Total—30.

And the amendment was rejected.

Delegate A. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Shannon moved the adoption of the Amendment No. 2.

Delegate Tobías objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

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Chairman Henry in the Chair

Motion

On motion of Delegate Mire, the Convention altered the Order of Business to take up other Orders of Business at this time.

Proposals

Delegate Denny, Secretary of the Constitutional Convention of 1973, submits the following report:

Constitutional Convention of 1973
State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly enrolled:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parishal Government, and Delegates Burson, Connon, Chatelain, Conlin, D’Gerolamo, Fowler, Giarruso, Hayes, Heine, J. Jackson, Kean, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon:

A PROPOSAL

Making general provisions for local and parishal government, levee districts, and ports, the financing thereof and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VI. LOCAL GOVERNMENT

Section 1. Creation, Dissolution, and Merger of Parishes; Change of Parish Lines; Change of Parish Seats; Existing Parishes

Section 1. (A) The legislature may establish and organize new parishes, dissolve and merge parishes and change parish boundaries, if two-thirds of the voters in each of the parishes affected voting at an election held for the purpose in each parish affected consent thereto.

(B) The governing authority of a parish, may call an election on the question of changing the location of the parish seat. The election shall be conducted in the manner provided by the general election laws in the state, insofar as applicable. The new location of a parish seat shall be changed if two-thirds of the total votes cast at the election is in favor thereof.

(C) All parishes and their boundaries as established under existing law are recognized and ratified.

Section 2. New or Enlarged Parishes; Adjustment of Assets and Liabilities

Section 3. When a parish is enlarged or created from contiguous territory, it shall be entitled to a just proportion of the property and assets and shall be liable for a just proportion of the existing debts and liabilities of the parish or parishes from which the territory is taken.

Section 4. Municipalities; Incorporation, Consolidation, Merger, and Government

Section 5. The legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No local or special law shall be enacted to create a municipal corporation or to amend, modify or repeal its charter. However, if a municipality is operating under a special legislative charter it may be amended, modified, or repealed by local or special law as long as such municipality continues to operate under such charter.

Section 6. Classification

Section 7. As except as provided in this constitution, the legislature may classify parishes or municipalities according to population or on any other reasonable basis related to the purpose of this classification, and legislation may be limited in its effect to any of such class or classes.

Section 7. Existing Home Rule Charters and Plans of Government of Parishes and Municipalities Ratified

Section 7. Every plan of government or home rule charter existing or adopted after this constitution is ratified shall remain in effect and may be amended, modified, or repealed as provided therein. Except as inconsistent with the provisions of this constitution, each local governmental subdivision which has adopted such a home rule charter or plan of government shall retain the powers, functions, duties, and powers in effect when this constitution is adopted. Each of them, if its charter permits, shall also enjoy the right to any powers and functions granted to other local governmental subdivisions.

Section 8. Home Rule Charter

Section 8. (A) Subject to and not inconsistent with the provisions of this constitution, any local governmental subdivision may draft, adopt, or amend a charter of government known as a home rule charter in accordance with the provisions of this Constitution. The governing authority of any such local governmental subdivision may appoint a commission to prepare and propose a charter or alternate charter, or may call an election for the purpose of electing such commission.

(B) The governing authority of any such local governmental subdivision shall call an election to elect a commission to prepare and propose a charter or alternate charter which is presented with a petition signed by not less than ten percent of the voters or ten thousand voters, whichever is the lesser, who live within the boundaries of the affected subdivision, as certified by the registrar of voters.

(C) A home rule charter shall be adopted, amended, or rejected upon by a majority of the voters of the subdivision who vote on the proposal at an election called for that purpose.

(D) Two or more local governmental subdivisions situated within the boundaries of one parish may avail themselves of the provisions of this Section, provided that a majority of the voters of each affected local governmental subdivision who vote in an election held for that purpose vote in favor thereof. The legislature shall provide for the method of appointment or election of a commission to prepare and propose a charter consistent with Paragraph (A) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision. The legislature shall provide the method by which the voters of more than one local governmental subdivision within the boundaries of the parish may petition for an election for such purpose consistent with Paragraph (B) of this Section.

(E) A home rule charter adopted pursuant to the provisions of this Section shall provide for the structure and organization of the government, the powers, and functions for the government, of the local governmental subdivision, which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, as defined by state law or the constitution and consistent with any provision of this constitution. The legislature shall not pass any law the effect of which changes, modifies, or affects the structure and organization and/or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter.
A local governmental subdivision adopting a home rule charter under this Section shall also enjoy such additional powers for the management and operation of local governmental subdivisions by other provisions of this constitution, unless the exercise of such powers and performance of such functions is prohibited by its charter.

No home rule charter or plan of local government shall authorize any provision inconsistent with this constitution or any law now or hereafter enacted which affects the offices of district attorney, sheriff, assessor, clerk of a district court, coroner, parish school board, or city school board.

Notwithstanding any provision of this Article to the contrary, the courts and their officers may be established or affected only as provided in Article V of this constitution.

Section 9. Powers of Other Local Governmental Subdivisions

Section 9. (A) Subject to and not inconsistent with any provision of this constitution, the governing authority of any other local governmental subdivision may exercise any powers and functions of a political subdivision, except: (a) the management of the affairs of the local governmental subdivision not denied by its charter or by general law, provided that a majority of the voters in the affected local governmental subdivision was given an opportunity to vote in favor of the proposition that such governing authority may exercise such general powers. In the absence of such a favorable vote, such local governmental subdivision shall have such powers as are contained in its charter or constitution; or

(b) Nothing contained in this Section shall be construed to affect the powers and functions of a parish or city school board and the offices of district attorney, sheriff, clerk of a district court, coroner, or assessor.

Section 10. (A) Any provision of this Article to the contrary, the courts and their officers may be established or affected only as provided in Article V of this constitution.

Section 11. Home Rule Parish; Incorporation of Cities, Towns, and Villages

Section 11. No parish plan of government or home rule charter shall prohibit the incorporation of cities, towns, or villages as provided by general law.

Section 12. Limitations of Local Governmental Subdivisions

Section 12. (A) Local governmental subdivisions shall not: (1) define and provide for the punishment of a felony; or (2) except as may be provided by law, enact private or civil ordinances governing civil relationships.

(B) If any provision of this Article, the police power of the state shall never be abridged.

Section 12.1. Codification of Ordinances

Section 12.1. The governing authority of each political subdivision shall within two years of the effective date of the adoption of this constitution, cause a code to be prepared containing all of the ordinances of the political subdivision of general application which are appropriate for continuation as law. When the code shall have been prepared the governing authority of the political subdivision shall cause copies of the same to be prepared and made available for public distribution. All proposed ordinances of general application adopted after the approval of the code shall be adopted as amendments or additions to the code.

Section 13. Local Officials

Section 13. The electors of each local governmental subdivision shall have the exclusive right to elect their governing authority. Nothing herein shall be construed to prohibit the election of the members of any governing authority on the basis of single-member districts.

Section 14. Local Officials: Compensation

Section 14. The compensation or method of fixing the compensation of a local elected official of any local governmental subdivision which operates under a home rule charter or plan of government as provided in Sections 7 and 8 of this Article, shall be provided in its charter. The compensation or method of fixing the compensation of local elected officials of any other local governmental subdivision shall be provided for by law. Compensation of local officials shall not be reduced during the terms for which they are elected.

Section 15. Filling of Vacancies; Appointment

Section 15. (A) Except as otherwise provided in this constitution, and except for the office of assessor, a vacancy in any local office filled by election wholly within the boundaries of a local governmental subdivision or a parish or city school district, shall be filled by appointment by the governing authority of such local governmental subdivision or school district, in which the office is located, until it is filled by election as provided by law.

(B) The provisions of this Section shall apply to all local governmental subdivisions unless otherwise provided by the home rule charter of the local governmental subdivision. Section 16. Legislation Increasing Financial Burden of Political Subdivisions; Local Approval

Section 16. No law requiring an increase in expenditures, or a deduction from the funds of a political subdivision for salaries of local public officials or for wages, hours, working conditions, pension and retirement benefits, vacation or sick leave benefits of political subdivision employees, or an increase in commissions of or for local political subdivision employees, except a law providing for civil service, minimum wages, working conditions, and retirement benefits for firemen and municipal policemen, shall have effect until approved by ordinance enacted by the governing authority of the affected subdivision. No fund of the state appropriate funds to the affected local governmental subdivision for that purpose and only to the extent and amount that such funds are provided. Nothing in this Section shall be construed as applying to parish and municipal school boards.

Section 17. Governmental Subdivisions; Control Over Agencies They Create

Section 17. The governing authority of a local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish any such agency and to require prior approval of any charge or tax levied, or bond issued by such agency.

Section 18. Special Districts and Local Public Agencies; Consolidation, Merger, and Assumption of Debt

Section 18. (A) Any local governmental subdivision may consolidate and merge into itself any special district or local public agency, except a school district, situated and having jurisdiction entirely within the boundaries of such local governmental subdivision. Upon such merger and consolidation the local governmental subdivision shall succeed to and vest with all of the rights, revenues, resources, jurisdiction, authority, and powers of such special district or local public agency. No such merger and consolidation shall affect any subdivision of the county in which the local governmental subdivision as a whole and also a majority of the voters voting thereon in the affected special district vote in favor of such proposition. No such action involving a local public agency shall take effect unless a majority of the electors of the consolidated local governmental subdivision in which the local public agency is located vote in favor thereof in an election held for that purpose.

Section 19. Special Districts and Local Public Agencies; Consolidation, Merger, and Assumption of Debt

Section 19. Subject to uniform legislatively established procedures, local governmental subdivisions shall have authority (1) to adopt regulations for land use, zoning and planning; (2) to create and maintain such professional, quasi-judicial, or quasi-legislative bodies as are necessary for the efficient administration of the laws of the state and of the local governmental subdivision; (3) to review decisions of any such commissions; (4) to adopt standards for use, construction, demolition and modification of areas and structures. Existing governmental authorities for historic preservation districts are retained.

Section 20. Industrial Areas

Section 20. The legislature may authorize parishes to create and define industrial areas within their boundaries in accordance with such procedures and subject to such regulations as the legislature shall determine. All industrial areas so created hereafter shall include provisions for access by public road to any and all entrances to the premises of each and every plant in such area which entrances are...
provided for use by employees of such company, or for use by employees of independent contractors working on such premises, or for delivery of materials or supplies, other than by rail or water transportation, to such premises. Where individual plants provide police protection this protection shall be confined to the premises of each individual plant located in the area. Industrial areas shall not be subdivisions of the state.

Section 22. Creation of Special Districts by the Legislature; Authority

Section 23. Intergovernmental Cooperation

Section 24. Subject to and not inconsistent with the provisions of this constitution, the legislature by general law may create or authorize the creation of special districts, boards, agencies, commissions, and authorities of every type, define their powers, and grant to the special districts, boards, agencies, commissions, and authorities so created such rights, powers, and authorities as it deems proper, including, but not limited to, the power of taxation, the power to incur debt and issue bonds.

Section 25. Any political subdivision may exercise and perform any of its authorized powers and functions, including financing, jointly or in cooperation with one or more political subdivisions, either within or without the state, with the United States or agencies thereof, except as the legislature shall provide otherwise by law.

Section 26. Assistance to Local Industry by Political Subdivisions; Harbor, Port, Harbor, and Terminal Districts

Section 27. Acquisition of Property

Section 28. Servitudes of Way; Acquisition by Prescription

Section 29. Prescription Against State

Section 29. Prescription shall not run against the state in any civil matter, unless otherwise provided in this constitution or expressly by law.

PART II. FINANCE

Section 31. Parish Tax Limits; Increase; Withdrawal of Municipality from Parish Taxing Authority

(A) Notwithstanding the provisions of the constitution, the governing authority of each parish may levy an ad valorem tax for general purposes, in an amount not to exceed in any one year, four mills on the dollar of assessed valuation. However, in Orleans Parish the limit shall be seven mills and in Jackson Parish the limitation shall be five mills. Millage rates may be increased in any parish when approved by a majority of the electors who vote in an election held for that purpose.

(B) When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied, the length of time the tax is to remain in effect, and all proceeds of the tax shall be solely for the purpose or purposes set forth in the proposition.

(C) The amount of the parish tax for general purposes which any parish, except the parish of Orleans, may levy, without a vote of the electors, on property located wholly within any municipality, which has a population in excess of one thousand inhabitants according to the last federal decennial census, or such other census as may be provided for by law, and which provides and maintains a system of street paving, shall not exceed one-half the tax levy for general purposes.

(D) This Section shall not be construed to repeal or affect the withdrawal of property in a municipality from parish taxing jurisdiction; provided that where any municipality is, by its charter or by law, exempt from payment of parish taxes or, under legislative authority, maintains its own public schools, it may levy an annual tax not to exceed ten mills of the dollar of assessed valuation.

Section 32. Municipal Tax Limits; Increase

(A) The governing authority of any municipality may levy an ad valorem tax for general purposes, in an amount not to exceed in any one year, seven mills on the dollar of assessed valuation; provided that where any municipality is, by its charter or by law, exempt from payment of parish taxes or, under legislative authority, maintains its own public schools, it may levy an annual tax not to exceed ten mills of the dollar of assessed valuation.

Section 33. Local Governmental Subdivision; Occupational License Tax; Limitations

Section 34. Local government subdivisions may impose an occupational license tax in an amount not greater than that imposed by the state. However, those who pay municipal occupational license taxes shall be exempt from parish occupational license taxes.
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legislature may by general or special law, authorize the im-
position of additional sales and use taxes by local govern-
ments; provided only after a duly authorized and appro-
eated vote of the electors thereof as herein provided. Nothing contained in
this Subsection shall be construed to affect any sales or use
tax authorized or imposed on the effective date of this con-
stitution or to affect or impair the security of any bonds
which are outstanding.

(B) Except where bonds in connection therewith have
been authorized, the legislature may uniformly exempt or
eclude any goods, tangible personal property, or services
from sales or use taxes levied by local governmental sub-
divisions, school boards, and the state.

Section 35. Political Subdivisions; Taxing Power; Limita-
tions

Section 35. Political subdivisions may exercise the power
of taxation, subject to such limitations as may be elsewhere
provided in the constitution, under authority granted to them
by the legislature for parish, municipal, and local purposes,
strictly public in their nature. The provisions of this Sec-
tion shall not apply to, nor affect, similar grants to such po-
litical subdivisions under other sections of this constitution
which are self-operative.

Section 36. Special Taxes; Ratified

Section 36. (A) Any special tax being levied by any politi-
cal subdivision under prior laws or under the 1921 Louisi-
ana Constitution, as amended, when this constitution is
adopted is hereby confirmed and ratified.

(B) For the purpose of acquiring, constructing, impro-
ving, maintaining and operating any work of public improve-
ment, any political subdivision may levy special taxes when
authorized by a majority of the electors in the political sub-
division who vote in an election held for that purpose.

Section 38. Bonds of Political Subdivisions; General Obliga-
tions

The full faith and credit of every political subdivision
is hereby pledged to the payment of general obligation
bonds issued by it under this constitution or the terms
of the statute or proceedings pursuant to which they
are issued. The governing authority of the issuing political subdivision
shall levy and collect or cause to be levied and
collected on all taxable property in the political subdivision
ad valorem taxes fully sufficient to pay principal and inter-
est and redemption premiums, if any, on such bonds as they
may issue.

Section 39. Taxpayer Authorization of Political Subdivi-
sion Bonds

Section 39. Subject to the approval of the State Bond
Commission or any successor thereto, general obligation bonds
shall only be issued after a duly authorized and appro-
ved vote of the majority of the electors who vote on the proposition at an
election in the political subdivision issuing such bonds.

Bonds to refund outstanding indebtedness at the same or at a lower
effective rate of interest, even though payable solely from
ad valorem taxes, need not be so authorized at an election
if the indebtedness refunded is paid or cancelled at the time
of the delivery of the refunding bonds, or if money, or secur-
ities made eligible for such purpose by law, are deposited in
escrow in an adequate amount, with interest, to be utilized
solely for the purpose of retiring the refunded indebtedness
or bonds and paying interest thereon and redemption pre-
miums, if any, to the time of retirement.

Section 40. Limitations on Bonded Indebtedness of Polit-
cal Subdivisions

Section 40. The legislature shall fix the limitation on bonded
indebtedness payable solely from ad valorem taxes levied
by political subdivisions.

Section 41. Limited Time for Contesting Bonds of Political Subdivisions

Section 41. (A) For a period of sixty days from the promul-
gation of the result of any election held for the purpose of incurring or assuming debt, issuing bonds, or levying a tax,
any person in interest shall have the right to contest the
legality thereof and the legality thereof and the legality thereof and the legality thereof and the legality thereof upon the authorization, for any cause whatsoever. If the validity of
any election, tax, debt assumption, or bond issue authorized
or provided for, held under the provisions of this Section,
is not raised within the sixty days herein prescribed, the
authority to incur or assume debt, levy the tax or issue the
bond, the legality thereof and the legality thereof shall not be
affected by the failure to contest the legality thereof within
sixty days after the election.

No action shall be taken hereunder to impair the obligation
of any outstanding bonded indebtedness or of any other
contract of such levee district.

Section 45. District Taxes; Increase in Tax to Raise Additional Funds

Section 45. (A) For the purpose of constructing and main-
taining levees, levee drainage, flood protection, hurricane
flood protection, and for all other purposes incident thereto,
the governing authority of each district, may levy annually
a tax not to exceed five mills on the assessed valuation,
except the Board of Levee Commissioners of the Orleans
Levee District which may levy annually a tax not to exceed
two and one-half mills on the assessed valuation of all tax-

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able property situated within the alluvial portions of said district subject to overflow.

(B) Should the necessity to raise additional funds arise in any levee district for any of the purposes herein set forth, or for any other purpose related to its authorized powers and functions which may be specified by the legislature, the tax herein authorized may be increased. However, before taking effect, the necessity for the increase and the rate thereof shall be submitted to the electors of such district and no increase in taxes shall occur unless a majority of the electors in such district who vote in the election hereinafter provided for vote in favor thereof.

Section 46. Bond Issues

Section 46. (A) Subject to the approval of the State Bond Commission or any successor thereto, the governing body of any levee district may fund the avails of said taxes or other revenues into bonds, or other evidences of indebtedness, the proceeds thereof to be used for the purposes mentioned in this Article or for the funding or payment of any outstanding indebtedness.

(B) Bonds issued under the authority of the foregoing provision shall be sold in accordance with applicable provisions of the Louisiana Revised Statutes relating to the issuance of bonds by levee districts.

Section 48. Cooperation with Federal Government

Section 48. All governing authorities of levee districts which have been, or may be created, are authorized to cooperate with the federal government in the construction and maintenance of the levees in this state, on such terms and conditions as may be provided by the federal authorities and accepted by the levee districts.

Section 49. Compensation for Property Used or Destroyed; Tax

Section 49. (A) Notwithstanding any other provision of this constitution, lands and improvements thereon hereafter actually used or destroyed for levees or levee drainage purposes shall be paid for as provided by law; and provided further, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to ballot or vote to establish the control of which is vested in the state or any political subdivision thereof for the purpose of commerce.

(B) If the district has no other funds or resources out of which such payment can be made, it shall levy, on all taxable property situated within the district, a tax sufficient to pay for such property so used or destroyed to be used solely in the district where collected.

(C) Nothing contained in this Section shall prevent the appropriation of said property before payment.

PART IV. PORTS

Section 50. Ports

Section 50. All deep-water port commissions and all deep-water port, harbor, and terminal districts as they are now organized and constituted, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist, except that:

(A) The legislature may grant additional powers and functions to any such commission or district and may create new port commissions or port, harbor, and terminal districts;

(B) The legislature may consolidate or abolish any such commission or district or may diminish, reduce, or withdraw from any such commission or district any of its powers and functions and may affect the structure and organization, distribution, and redistribution of the powers and functions of any such commission or district, including additions or reductions of its territorial jurisdiction, only by act passed by a favorable vote of at least two-thirds of the elected membership of each house.

(C) The legislature shall make provisions with respect to the membership of the herein provided commissions. Once the membership is established it may be changed only upon a two-thirds vote of the elected members of each house of the legislature.

PART V. DEFINITIONS

Section 51. Terms Defined

Section 51. As used in this Article:

(1) "Local governmental subdivision" means any parish or municipality;

(2) "Political subdivision" means parishes and municipalities, and any other unit of local government, including school boards and special districts, authorized by law to perform governmental functions;

(3) "Municipality" means all incorporated cities, towns, and villages;

(4) "Governing authority" means the body which exercises the legislative functions of the political subdivision;

(5) "General law" means a law of statewide concern enacted by the legislature which is uniformly applicable to all persons or to all political subdivisions in the entire state or which is uniformly applicable to all persons or to all political subdivisions within the same class.

(6) "General obligation bond" means those bonds, the principal and interest of which are secured by and payable from ad valorem taxes levied without limitation as to rate or amount;

(7) "Deep-water port commissions and deep-water port, harbor, and terminal districts" means those commissions or districts within whose territorial jurisdiction exist facilities capable of accommodating vessels of at least twenty-five feet of draft and of engaging in foreign commerce.
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA

EIGHTY-THIRD DAY’S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

Saturday, November 10, 1973, Baton Rouge, Louisiana

The Convention was called to order at 9:00 o’clock a.m.,
by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL
The roll being called, the following delegates answered
to their names:

PRESENT

Delegates—
Mr. Chairman
Abraham
Aetker
Aliaro
Anzalone
Arnette
Assell
Avant
Badeaux
Bollinger
Brien
Brown
Burs
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowen
D’Gerolamo
De Blieux
Dennis
Deshotels
Dunlap
Edwards
Elkins
Fayard
Flory
Fontenot

Pulco
Gauthier
Giarrusso
Gin
Goldman
Graves
Grier
Guarisco
Hardee
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jackson, J.
Jenkins
Juneau
Kean
Kelly
Kilbourne
Kilpatrick
Lambert
Landry, A.
Landry, E. J.
Lanier
LeBlanc
Leigh
Leithman
McDaniel
Martin
Maybuc
Mire
Morris

O’Neill
Perkins
Planchard
Rachal
Reeves
Riecke
Roemer
Roy
Sandoz
Schmitt
Shannon
Singletary
Slay
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tapper
Tate
Tohias
Toca
Tomey
Ullo
Velazquez
Vick
Warren
Wattigny
Weiss
Willis
Winchester
Wisdom
Zervigon

ABSENT

Delegates—
Alexander
Bel
Bergeron
Blair
Derfey
Derbes
Drew
Duval
Fowler
Haynes

Landrum
Lowe
Maubert
Miller
Monzon
Newton
Nunez
Ours
Perez

Pugh
Rayburn
Segura
Smith
Thistledthwaite
Thompson
Vesich
Wall
Womack

The Chairman announced that there were 103 members
present and a quorum.

Prayer

Prayer was offered by Delegate Burson.

Pledge of Allegiance

Delegate Gravel led the Convention in reciting the Pledge
of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Delegate Chatelain, the reading of the Journal
was dispensed with.

On motion of Delegate Chatelain, the Journal of yesterday
was adopted.

Morning Hour

Unfinished Business

The following unfinished business in which the Convention
was engaged at the time of its adjournment on yesterday
was taken up and acted on:

COMMITTEE PROPOSAL No. 7—

Introduced by Delegate Aetker, Chairman, on behalf of
the Committee on Education and Welfare and Delegates Car-
menche Cowen, Flory, Hernandez, Landry, Segura, Silver-
burg, Thistledthwaite, Toca and Wisham:

A PROPOSAL

Making provisions for education and necessary provisions
with respect thereto.

Read.

Section 4. State Board of Elementary and Secondary Edu-
cation

Section 4. (A) Creation; Function. There is created a body
corporate, known as the State Board of Elementary and
Secondary Education. The board shall supervise, control
and have budgetary responsibility for all funds appropriated
or allocated by the state for all public elementary and
secondary schools and special schools under its jurisdiction
as provided by law. The board shall have such other specific
powers, duties, and responsibilities as are provided by law
but shall have no control over the business affairs of parish
and municipal school boards or the selection or removal
of their officers and employees.

(B) Membership; Terms. The board shall consist of three
members who shall be appointed by the governor, with the
consent of the Senate from the state at large, and eight
members who shall be elected from single-member districts
to be determined by the legislature. All members shall serve
overlapping terms of six years, following the initial terms
which shall be determined by the governor or the legislature
as the case may be, in a manner as to effectuate this
purpose.

(C) Vacancies. Vacancies occurring for any cause prior
to the expiration of the term shall be filled by appointment
by the governor for the remainder of the unexpired term.
Members shall serve without pay except for such per diem
and expenses as shall be fixed by the legislature.

Read.

The Chairman announced that the Convention had under
consideration Committee Proposal Number 7, Section 4, when
it adjourned on Friday, November 2, 1973, which was taken
up and acted upon as follows:

Delegate Stovall sent up a floor amendment, which was
read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stovall to Committee
Proposal No. 7 by Delegate Aetker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 7 through 32, both inclusive, in
their entirety and on page 3, delete line 1, in its entirety,
and insert in lieu thereof the following:

“Section 4. Board of Education

Section 4. There is created a body corporate, known as the
Board of Education. The board shall supervise, control, and
have budgetary responsibility for all precollegiate public
education. The board shall have such other specific powers, duties, and responsibilities as are provided by law, but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees. The board shall consist of eleven members. One member shall be elected from each of the congressional districts into which the state is divided and the additional number of members shall be appointed by the governor, with the consent of the Senate, from the state at large. All members shall serve overlapping terms of six years, following the initial terms which shall be determined by the legislature in a manner as to effectuate this purpose."

Delegate Stovall moved the adoption of the amendment.
Delegate Stinson objected.

By a vote of 26 yeas and 64 nays the amendment was rejected.
Delegate Stovall moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Perkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**
Amendment proposed by Delegates Perkins and Asseff to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 2, line 20, immediately after the word "of" delete the word "three" and delete lines 21 and 22 in their entirety and insert in lieu thereof the word "eight".
Delegate Perkins moved the adoption of the amendment.
Delegate Roy objected.

By a vote of 33 yeas and 60 nays the amendment was rejected.
Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Delegate Perkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**
Amendment proposed by Delegates Perkins, Asseff and O'Neill to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 2, line 31, place a semicolon ";" after the word "governor" and delete the remainder of the line, and insert in lieu thereof the following:

";" however, if at the time the vacancy occurs the unexpired portion of the term is more than one year, the vacancy shall be filled by election as provided by law.

On motion of Delegate Perkins the amendment was withdrawn.
Delegate Perkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**
Amendment proposed by Delegates Perkins, Asseff and O'Neill to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**
On page 2, line 31, place a semicolon ";" after the word "governor" and delete the remainder of the line, and insert in lieu thereof the following:

";" however, if at the time the vacancy occurs the unexpired portion of the term of any elected member is more than one year, the vacancy shall be filled by election as provided by law.

Delegate Perkins moved the adoption of the amendment.
Delegate A. Jackson objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**
The roll was called with the following result:

**YEAS**
Delegates—
Abraham—Ginn
Aertker—Goldman
Anzalone—Graham
Arnette—Grier
Asseff—Hardee
Avant—Hayes
Badeaux—Hernandez
Bollinger—Jack
Brien—Jenkins
Burns—Juneau
Burnson—Kean
Cannon—Killbourne
Carmouche—Lambert
Casey—Landry, A.
Champagne—Landry, E. J.
Chateau—LeBlanc
Comar—LeBeau
Conino—Leigh
Conroy—McDaniel
Corne—Martin
Cowen—Mayb偷
De Blieux—Mire
Deshotels—Morris
Dunlap—O'Neill
Ellkis—Perkins
Forsy—Planchard
Fulco—Reeves
Giarrusso—Total—82.

**NAYS**
Delegates—
Alario—Gravel
Brown—Jackson, A.
Chehardy—Jackson, J.
D'Geralamo—Kelly
Gauthier—Total—13.

**NOT VOTING**
Delegates—
Mr. Chairman—Fontenot
Alexander—Fowler
Bel—Guarisco
Bergerot—Haynes
Blair—Heine
Dennery—Landin
Dennis—Lowe
Derbes—Mauberret
Drew—Miller
Duval—Munson
Edwards—Newton
Fayard—Nunez
Total—36.
And the amendment was adopted.
Delegate Perkins moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.
Delegate Morris sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**
Amendments proposed by Delegate Morris to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:
AMENDMENT No. 1—
On page 2, line 16, at the end of the line, after the words “provided by” delete the word “law” and insert in lieu thereof the words “this constitution or by law.”

AMENDMENT No. 2—
On page 2, delete lines 20 through 32, both inclusive, in their entirety including all Floor Amendments thereto and on page 3, delete line 1, in its entirety and insert in lieu thereof the following:
“(B) Membership: Terms. The Legislature shall provide for the membership, manner of election or selection, and terms of office of the State Board of Elementary and Secondary Education; provided, however, that not fewer than two-thirds of the members of the board shall be elected by the people should the office of superintendent of education be made appointive.

(C) Vacancies. Vacancies occurring for any cause prior to the expiration of the terms of members of the State Board of Elementary and Secondary Education shall be filled by appointment by the governor for the remainder of the unexpired term; “however, if at the time the vacancy occurs the unexpired portion of the term of any elected member is more than one year, the vacancy shall be filled by election as provided by law.” Members shall serve without pay except for such per diem and expenses as shall be fixed by the Legislature.”

On motion of Delegate Hernandez a division of the question was ordered.
Delegate Morris moved the adoption of Amendment No. 1.
Delegate O'Neill objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS
Delegates—Fontenot Maybuc Clynon
Aerk Baur Mires
Arnot Gauthier
Arndt
Barabas
Association
Assef
Avant
Baieaux
Bollinger
Bron
Brown
Cannon
Carmouche
Cass
Chatelain
Chehardy
Comar
Conino
Conroy
Cowen
D'Gerolamo
Deshotels
Dunlap
Edwards
Edwards
Edwards
Emory
Flory
Total—74.

NAYS
Delegates—Anzalone Burns Burson Champagne Conroy Cowen Elkins Fayard Guarisco
Total—25.

NOT VOTING
Delegates—Mr. Chairman
Alexander
Bel
Bergeron
Blair
Dennery
Derbes
Drew
Duval
Fowler
Haynes
Total—31.

And the amendment was rejected.
Delegate Tacca moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

Delegate Avant moved that the Convention do now take up Committee Proposal Number 7, Section 3 upon which action was deferred on Friday, November 9, 1973, out of its regular order.

As a substitute Delegate Tobis moved that the entire subject matter be tabled.

Delegate Avant objected.

The vote recurred on the substitute motion.

By a vote of 44 yeas and 52 nays and the Convention refused to table the entire subject matter.

Delegate Avant insisted upon his original motion to consider Committee Proposal Number 7, Section 3 at this time, out of its regular order.

Delegate Tobis objected.

By a vote of 56 yeas, 40 nays the Convention took up Committee Proposal Number 7, Section 3, out of its regular order, at this time.

**Section 3, State Superintendent of Public Elementary and Secondary Education**

Section 3. (A) Term. There shall be a state superintendent of public education for elementary and secondary education, who shall be appointed by the State Board of Elementary and Secondary Education for a term not to exceed four years.

(B) Qualifications. The state superintendent shall possess the qualifications required of parish school superintendents and such additional qualifications as may be fixed by law.

(C) Functions. The powers, duties, responsibilities, and salary of the state superintendent of public education shall be prescribed by law.

Read.

Delegate Flory sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**


Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, delete lines 28 through 32, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 3, (A) Term. There shall be a state superintendent of public education for elementary and secondary education, who shall be elected for a term of four years. He shall be the ex officio secretary of the board and shall serve as its chief executive officer."

Delegate Flory moved the adoption of the amendment.

Delegate De Blieux objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Alario   Glenn   Maybuce
Anzalone Gravel   Mire
Asseff   Grier    Morris
Avant    Hardee   O'Neill
Badeaux Hayes    Perkins
Brien    Heine    Planchard
Brown    Hernandez Reeves
Burns    Jack     Roemer
Burson   Jackson, A. Sandoz
Cannon   Jenkins  Shannon
Champagne Jenkins  Singleterry
Chatelein Juneau  Slay
Conino   Kelly    Stinson
Corne    Kilbourne Toca
Cowen    Kilpatrick Toomy
D'Gerolamo Dunlap  Ullo
Delapl    Landry, A. Velazquez
Elkins   Lambert  Vick
Fayard   Landry, E. J. Warren
Flory    Lanier   Wattigny
Fontenot LeBlanc  Winchester
Gauthier McDaniel  Wisham
Giarrusso Martin

Total—71.

**NAYS**

Delegates—

Abraham Dennis   Soniat
Aertker Goldman  Stagg
Arnette Guarisco  Sutherland
Bollinger Kean   Tate
Carmouche LeBlanc  Tobias
Casey Rachal    Weiss
Chehardy Riecke  Willis
Conroy Schmitt  Zervigon

Total—25.

**NOT VOTING**

Delegates—

Mr. Chairman  Fulco    Rayburn
Alexader   Haynes   Secura
Bel         Landrum  Smith
Bergeron    Lowe    Stephenson
Blair       Mauberret  Stovall
Dennery    Miller    Tapper
Derbes     Monroe    Thistlethwaite
Deshotels  Newton    Thompson
Drew       Nunez    Vesich
Duval       Ourso   Wall
Edwards     Perez    Womack
Powler    Pugh

Total—35.

And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Graham sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Graham, Chatelin, Flory, and Gravel to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 25, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the Convention on November 10, 1973, on line 1 of the language added by that amendment at the beginning of the line after the word and punctuation "Term," delete the word "There" and insert in lieu thereof the following:

"Subject to the provisions for appointment, in lieu of election, as set forth in Article IV, Section 23, there"

Delegate Graham moved the adoption of the amendment.

Delegate O'Neill objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunlap</td>
<td>Maybuce</td>
</tr>
<tr>
<td>Elkins</td>
<td>Mire</td>
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<tr>
<td>Fayard</td>
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<td>Flory</td>
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<td>Roy</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Sanzoe</td>
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<td>Girard</td>
<td>Smith</td>
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<td>Ginn</td>
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<td>Goldman</td>
<td>Soniat</td>
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<td>Graham</td>
<td>Stagg</td>
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<tr>
<td>Gravel</td>
<td>Sutherland</td>
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<tr>
<td>Guarisco</td>
<td>Tate</td>
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<tr>
<td>Hardee</td>
<td>Tobias</td>
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<tr>
<td>Hernandez</td>
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</tr>
<tr>
<td>Jackson</td>
<td>Velazquez</td>
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<tr>
<td>Jackson</td>
<td>Viek</td>
</tr>
<tr>
<td>Keen</td>
<td>Wattaingy</td>
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<tr>
<td>Kilpatrick</td>
<td>Willis</td>
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<td>Willis</td>
</tr>
<tr>
<td>McDaniel</td>
<td>Wisham</td>
</tr>
<tr>
<td>Martin</td>
<td></td>
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</table>

Total—62.

**NAYS**

Delegates—

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<tr>
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</thead>
<tbody>
<tr>
<td>Kelly</td>
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<tr>
<td>Kilbourne</td>
<td>Roemer</td>
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<tr>
<td>Lambert</td>
<td>Shannon</td>
</tr>
<tr>
<td>Landry, E. J.</td>
<td>Singletary</td>
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<tr>
<td>Lanier</td>
<td>Stinson</td>
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<tr>
<td>LeBleue</td>
<td>Teomy</td>
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<tr>
<td>Leigh</td>
<td>Ullo</td>
</tr>
<tr>
<td>Morris</td>
<td>Warren</td>
</tr>
<tr>
<td>O’Neill</td>
<td>Winchester</td>
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<tr>
<td>Perkins</td>
<td>Zervigon</td>
</tr>
<tr>
<td>Planchard</td>
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</table>

Total—32.

**NOT VOTING**

Delegates—

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<thead>
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<tbody>
<tr>
<td>Fowler</td>
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<td>Stephenson</td>
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<td>Stovall</td>
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<td>Mauberret</td>
<td>Tapper</td>
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<td>Miller</td>
<td>Thistlewaite</td>
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<td>Munson</td>
<td>Thompson</td>
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<td>Newton</td>
<td>Vesich</td>
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<td>Nunez</td>
<td>Wall</td>
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<td>Osaro</td>
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<tr>
<td>Perez</td>
<td></td>
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<tr>
<td>Pugh</td>
<td></td>
</tr>
</tbody>
</table>

Total—37.

And the amendment was adopted.

Delegate Graham moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate E. J. Landry sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate E. J. Landry to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT NO. 2—**

On page 2, delete lines 1 through 6, both inclusive, in their entirety.

On motion of Delegate E. J. Landry the amendment was withdrawn.

**Vice-Chairman Casey in the Chair**

Delegate E. J. Landry sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate E. J. Landry to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT NO. 1—**

On page 1, line 28, in Floor Amendment No. 1 proposed by Delegate Flory and adopted by the Convention on November 10, 1973, on line 4 of the language added by that amendment at the beginning of the line after the word and punctuation “years,” delete the remainder of the line and delete lines 5 and 6 both inclusive, in their entirety and insert in lieu thereof the following:

"The powers, duties, responsibilities, and qualifications of the superintendent shall be fixed by law."

**AMENDMENT NO. 2—**

On page 2, delete lines 1 through 6, both inclusive, in their entirety.

Delegate E. J. Landry moved the adoption of the amendments.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

<table>
<thead>
<tr>
<th>Delegate</th>
<th>Delegation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Gin</td>
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<tr>
<td>Avant</td>
<td>Gravel</td>
</tr>
<tr>
<td>Bollinger</td>
<td>Hardee</td>
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<tr>
<td>Burns</td>
<td>Hayes</td>
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<td>Cannon</td>
<td>Jack</td>
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<td>Casey</td>
<td>Jenkins</td>
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<td>Kilbourne</td>
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<td>Chehardy</td>
<td>Landry, E. J.</td>
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<td>LeBleue</td>
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<tr>
<td>Flory</td>
<td>Morris</td>
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<tr>
<td>Gauthier</td>
<td>Rachal</td>
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</table>

Total—50.

**NAYS**

Delegates—

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<tbody>
<tr>
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<td>Anzalone</td>
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<td>Arnette</td>
<td>Sanzoe</td>
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<td>Shannon</td>
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<td>Badeaux</td>
<td>Stagg</td>
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<td>Brien</td>
<td>Tate</td>
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<td>Burson</td>
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<td>Carmouche</td>
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<td>Fayard</td>
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<td>Guarisco</td>
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<td>Grie</td>
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<td>Heine</td>
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<td>Jackson, A.</td>
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<td>Maybuce</td>
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<td>Soniat</td>
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<td>Viek</td>
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<tr>
<td>Weiss</td>
<td></td>
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<tr>
<td>Winchester</td>
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</tbody>
</table>

Total—36.
Delegates—
Mr. Chairman  
Alexander  
Bel  
Bergeron  
Blair  
Brown  
Comar  
Coven  
Denner  
Dennis  
Derbes  
Deshotel  
Drew  
Duval  
Edwards  
Elkins  
Fowler  
Haynes  
Judeau  
Kean  
Lambert  
Landrum  
Leithman  
Lowe  
Martin  
Mauberret  
Miller  
Munson  
Newton  
Nunez  
NOT VOTING
Ousso  
Perez  
Pugh  
Rayburn  
Segura  
Smith  
Stephenson  
Stovall  
Thistlethwaite  
Thompson  
Vesich  
Wall  
Warren  
Womack  
Total—45.

And the amendments were adopted.
Delegates Sutherland moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Sutherland sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sutherland and Riecke to Committee Proposal No. 7 by Delegate Aerkter, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, in Floor Amendment No. 1 proposed by Delegate Flory, et al., and adopted by the Convention on November 10, 1973, and immediately following the language inserted by Convention Floor Amendment No. 1 thereto proposed by Mr. E. J. Landry and adopted by the Convention on November 10, 1972, add the following:

"In addition he shall be the administrative head of the Department of Education for the implementation of the policies of the State Board of Elementary and Secondary Education and the laws affecting the schools under its jurisdiction."

Delegate Sutherland moved the adoption of the amendment.
Delegate Alario objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

- YEAS
  - Aerkter
  - Arnette
  - Asseff
  - Avant
  - Badeaux
  - Bollinger
  - Brien
  - Burns
  - Burson
  - Cannon
  - Carmouche
  - Casey
  - Champagne
  - Chatelain
  - Conroy
  - Corne
  - Cowen
  - D’Gerolamo
  - Dennis
  - Durlap
  - Elkins
  - Fayard
  - Fontenot
  - Fuleo
  - Girard  
  - Goldman
  - Graham
  - Gravel
  - Grier
  - Guarisco
  - Heine
  - Hernandez
  - Jack
  - Jackson, A.
  - Jackson, J.
  - Jenkins
  - Kelly
  - Kilbourne
  - Kilpatrick
  - Landry, A.
  - Leigh
  - McDaniel
  - Mire
  - Morris
  - O’Neill
  - Perkins
  - Planchard
  - Riecke
  - Roemer
  - Roy
  - Schmitt
  - Slav
  - Soniat
  - Stagg
  - Stinson
  - Sutherland
  - Tobias
  - Velazquez
  - Vick
  - Warren
  - Wattigny
  - Weiss
  - Winchester
  - Zervigon
  - Total—64.

- NAYS
  - Abraham
  - Alario
  - Anzalone
  - Chehardy
  - Conino
  - Florio
  - Gauthier
  - Hayes
  - Total—22.

Delegates—
Mr. Chairman  
Alexander  
Bel  
Bergeron  
Blair  
Brown  
Comar  
Coven  
Denner  
Dennis  
Derbes  
Deshotel  
Drew  
Duval  
Edwards  
Fowler  
Nunez  
Ousso  
Perez  
Pugh  
Rayburn  
Segura  
Smith  
Stephenson  
Stovall  
Thistlethwaite  
Thompson  
Vesich  
Wall  
Warren  
Womack  
Total—45.

And the amendment was adopted.
Delegate Sutherland moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 7 by Delegate Aerkter, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 1, line 28, delete Floor Amendment No. 1 proposed by Delegate E. J. Landry, and adopted by the Convention on November 10, 1973, and insert in lieu thereof the following:

"The powers, functions, duties, and responsibilities of the superintendent shall be fixed by law."

Delegate Jenkins moved the adoption of the amendment.
Delegate Avant objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

- YEAS
  - Aerkter
  - Arnette
  - Asseff
  - Avant
  - Badeaux
  - Bollinger
  - Brien
  - Burns
  - Burson
  - Cannon
  - Carmouche
  - Casey
  - Champagne
  - Chatelain
  - Conroy
  - Corne
  - Cowen
  - D’Gerolamo
  - Dennis
  - Durlap
  - Elkins
  - Fayard
  - Fontenot
  - Fuleo
  - Girard
  - Goldman
  - Graham
  - Gravel
  - Grier
  - Guarisco
  - Heine
  - Hernandez
  - Jack
  - Jackson, A.
  - Jackson, J.
  - Jenkins
  - Kelly
  - Kilbourne
  - Kilpatrick
  - Landry, A.
  - Leigh
  - McDaniel
  - Mire
  - Morris
  - O’Neill
  - Perkins
  - Planchard
  - Riecke
  - Roemer
  - Roy
  - Schmitt
  - Slav
  - Soniat
  - Stagg
  - Stinson
  - Sutherland
  - Tobias
  - Velazquez
  - Vick
  - Warren
  - Wattigny
  - Weiss
  - Winchester
  - Zervigon
  - Total—33.

- NAYS
  - Abraham
  - Alario
  - Arnette
  - Asseff
  - Bollinger
  - Champagne
  - Chehardy
  - Conino
  - D’Gerolamo
  - Fontenot
  - Gauthier
  - Hayes
  - Total—64.

- Singletry
  - Lanier
  - LeBeau
  - Maybux
  - Rachal
  - Reeves
  - Sandoz
  - Total—22.

- Ousso
  - Perez
  - Pugh
  - Rayburn
  - Segura
  - Shannon
  - Smith
  - Stephenson
  - Stovall
  - Tapper
  - Thistlethwaite
  - Thompson
  - Vesich
  - Wall
  - Womack
  - Total—45.

789
Conroy
Corne
Cowan
De Blieux
Dennis
Dunlap
Elkins
Fayard
Flory
Fulco
Giarrusso
Ginn
Goldman
Graham
Gravel
Grier
Total—60.

NOT VOTING

Delegates—
Mr. Chairman
Alexander
Bel
Bergeron
Blair
Brown
Dennery
Derees
Deshotels
Drew
Duval
Edwards
Fowler
Haynes
Total—38.

And the amendment was rejected.

Delegate Avant moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Committee Proposal No. 7, Section 3 was read as amended.

Delegate Aertker moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alario
Anzalone
Avant
Badeneux
Bien
Burns
Burson
Cannon
Carmouche
Champagne
Chatelain
Comar
Conko
Corne
Cowan
Cren
D'Gerolamo
De Blieux
Dennis
Dunlap
Elkins
Flory
Fenelon
Fulco
Total—77.

NAYS

Delegates—
Arnette
Asseff
Bollinger
Casey
Chehardy
Conroy

Fayard
Guarisco
Jenkins
Lanier
Total—17.

NOT VOTING

Delegates—
Alexander
Bel
Bergeron
Blair
Brown
Dennery
Derees
Deshotels
Drew
Duval
Edwards
Fowler
Haynes
Total—37.

And the Chair declared that the above Section was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 4. State Board of Elementary and Secondary Education

Section 4. (A) Creation; Function. There is created a body corporate, known as the State Board of Elementary and Secondary Education. The board shall supervise, control and have budgetary responsibility for all funds appropriated or allocated by the state for all public elementary and secondary schools and special schools under its jurisdiction as provided by law. The board shall have such other specific powers, duties, and responsibilities as are provided by law, but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees.

(B) Membership; Terms. The board shall consist of three members who shall be appointed by the governor, with the consent of the Senate from the state at large, and eight members who shall be elected from single-member districts to be determined by the legislature. All members shall serve overlapping terms of six years, following the initial terms which shall be determined by the governor or the legislature as the case may be, in a manner as to effectuate this purpose.

(C) Vacancies. Vacancies occurring for any cause prior to the expiration of the term shall be filled by appointment by the governor for the remainder of the unexpired term. Members shall serve without pay except for such per diem and expenses as shall be fixed by the legislature.

Read.

Delegate E. J. Landry sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate E. J. Landry to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 2, delete lines 7 through 11, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 4. State Superintendent of Public Elementary and Secondary Education; Function

Section 4. (A) Function. The state superintendent of public education for elementary and secondary education shall supervise, control;”

AMENDMENT No. 2—

On page 2, line 15, after the word "The" and before the word "shall" delete the word "board" and insert in lieu thereof the words “state superintendent of public education”

AMENDMENT No. 3—

On page 2, delete lines 20 through 32, both inclusive, in their entirety, including all Floor Amendments thereto and on page 3, delete line 1 in its entirety.
Delegate E. J. Landry moved the adoption of the amendments.
Delegate Burson objected.
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Anzalone</td>
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<td>Chehardy</td>
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<tr>
<td>Comar</td>
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<td>D'Gerolamo</td>
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<td>Total—23.</td>
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<tr>
<td>Delegates—</td>
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<td>Elkins</td>
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<td>Flory</td>
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<td>Total—65.</td>
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<tr>
<td>NOT VOTING</td>
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<tr>
<td>Delegates—</td>
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<tr>
<td>Mr. Chairman</td>
<td></td>
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<tr>
<td>Alexander</td>
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</tbody>
</table>

**Carmouche**  
**Dennery**  
**Derbes**  
**Deshotels**  
**Drew**  
**Duval**  
**Edwards**  
**Fowler**  
**Gauthier**  
**Giarrusso**  
**Haynes**  
**Kean**  
**Lambert**  

**Landrum**  
**Lowe**  
**Martin**  
**Mauberret**  
**Miller**  
**Mire**  
**Morris**  
**Munson**  
**Newton**  
**Nunez**  
**Ours**  
**Perez**  
**Pugh**  
**Rayburn**  
**Segura**  
**Smith**  
**Stephenson**  
**Stovall**  
**Tapper**  
**Thistlethwaite**  
**Thompson**  
**Vesich**  
**Wall**  
**Wadigny**

And the amendment was rejected.

Delegate Aertker moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Casey, the Convention altered the Order of Business to take up other Orders of Business at this time.

**Leaves of Absence**

Delegate Bergeron—1 day.
Delegate Vesich—1 day.
Delegate Thompson—1 day.
Delegate Newton—1 day.
Delegate Dennery—1 day.

**Adjournment**

Delegate Bollinger moved that the Convention do now adjourn until Monday, November 12, 1973, at 1:00 o'clock P.M.

As a substitute Delegate De Blieux moved that the Convention do now adjourn until Tuesday, November 13, 1973, at 9:00 o'clock.

The vote recurred on the substitute motion.

By a vote of 51 yeas and 37 nays the Convention adjourned Tuesday, November 13, 1973, at 9:00 o'clock A.M.

And Chairman Henry declared the Convention adjourned to Tuesday, November 13, 1973, at 9:00 o'clock P.M.
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to their names:

**PRESENT**

<table>
<thead>
<tr>
<th>Delegates</th>
<th>Present</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Chairman</td>
<td>Fulco</td>
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<tr>
<td>Abraham</td>
<td>Gauthier</td>
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<td>Aetker</td>
<td>Giarrusso</td>
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<td>Alarco</td>
<td>Glenn</td>
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<td>Anzalone</td>
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<td>Bet</td>
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<td>Bergeron</td>
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<td>Blair</td>
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<td>Brien</td>
<td>Jackson, J.</td>
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<td>Brown</td>
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<td>Burson</td>
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<td>Cannon</td>
<td>Kelly</td>
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<td>Carmouche</td>
<td>Kilgore</td>
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<td>Casey</td>
<td>Kilpatrick</td>
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<td>Champagne</td>
<td>Lambert</td>
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<td>Chatelain</td>
<td>Landrum</td>
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<td>Chehardy</td>
<td>Landry, A.</td>
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<td>Landry, E. J.</td>
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<td>O’Neill</td>
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<td>Fowler</td>
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**ABSENT**

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<tr>
<th>Delegates</th>
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<td>Demmery</td>
<td>Goldman</td>
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<td>Derbes</td>
<td>Jack</td>
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<td>Deshotelis</td>
<td>Lowe</td>
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<tr>
<td>Edwards</td>
<td>Nunez</td>
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</tbody>
</table>

The Chairman announced that there were 189 members present and a quorum.

---

**Prayer**

Prayer was offered by Delegate Brien.

**Pledge of Allegiance**

Delegate Morris led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

**Reading of the Journal**

On motion of Delegate Miller, the reading of the Journal was dispensed with.

On motion of Delegate Miller, the Journal of yesterday was adopted.

**Regular Order**

**Unfinished Business**

The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

**COMMITTEE PROPOSAL No. 7—**

Introduced by Delegate Aetker, Chairman, on behalf of the Committee on Education and Welfare and Delegates Carmouche, Cowen, Flory, Hernandez, Landry, Segura, Silverburg, Thistelthwaite, Tocha and Wizham:

A PROPOSAL

Making provisions for education and necessary provisions with respect thereto.

Read.

**Section 4. State Board of Elementary and Secondary Education**

Section 4. (4) Creation; Function. There is created a body corporate, known as the State Board of Elementary and Secondary Education. The board shall supervise, control and have budgetary responsibility for all funds appropriated or allocated by the state for all public elementary and secondary schools and special schools under its jurisdiction as provided by law. The board shall have such other specific powers, duties, and responsibilities as are provided by law but shall have no control over the business affairs of parish and municipal school boards or the selection or removal of their officers and employees.

(C) Vacancies. Vacancies occurring for any cause prior to the expiration of the term shall be filled by appointment by the governor for the remainder of the unexpired term. Members shall serve without pay except for such per diem and expenses as shall be fixed by the legislature.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 7, Section 4, when it adjourned on Saturday, November 10, which was taken up and acted upon as follows:

Delegate Morris sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Morris to Committee Proposal No. 7 by Delegate Aetker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, at the beginning of line 15, after the words and punctuation "as provided by law," and before the words "The board insert the following:"

"In the event the office of State Superintendent of Public Elementary and Secondary Education is made appointive, such appointment shall be made by the State Board of Elementary and Secondary Education."
Delegate Morris moved the adoption of the amendment.  
Delegate Rachal objected.  
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>YEAS</th>
<th>NAYS</th>
<th>NOT VOTING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abraham</td>
<td>Dunlap</td>
<td>Mauberret</td>
<td>Segura</td>
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<tr>
<td>Aertker</td>
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<td>Thompson</td>
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<td>Sandy</td>
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<td>Schmitt</td>
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<td>Hernandez</td>
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<td>Cannon</td>
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<td>Carmouche</td>
<td>Jackson, A.</td>
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<td>Casey</td>
<td>Juneau</td>
<td>Stagg</td>
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<td>Sutherland</td>
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<td>Martin</td>
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</table>

Total—78.

Delegates—
Fowler  
Kelly  
Total—4.

And the amendment was adopted.

Delegate Morris moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Vice-Chairman Casey in the Chair**

Delegate Shannon sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Shannon to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 20 through 22, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership: Terms. The board shall consist of fifteen"

Delegate Shannon moved the adoption of the amendment.  
Delegate Roy objected.  
A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>Delegates</th>
<th>YEAS</th>
<th>NAYS</th>
<th>NOT VOTING</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Jackson, A.</td>
<td>Perkins</td>
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<td>Anzalone</td>
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<td>Cannon</td>
<td>Landry, E. J.</td>
<td>Smith</td>
<td>Thistlethwaite</td>
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<td>Chatelain</td>
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<td>Thompson</td>
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<td>McDaniel</td>
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<td>De Bierlo</td>
<td>Martin</td>
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<tr>
<td>De Bileux</td>
<td>Martin</td>
<td>Washigny</td>
<td>Womack</td>
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</tbody>
</table>

Total—51.

Delegates—
Fowler  
Kelly  
Total—4.

Delegate A. Jackson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate A. Jackson to Committee Proposal No. 7 by Delegate Aertker, et al.

And the amendment was rejected.

Delegate Roy moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, between lines 1 and 2, add the following: "(D) Minority Representation. A proportionate number of citizens from the predominate minority race of the state shall be included on the State Board of Elementary and Secondary Education. For the purposes of this Article the term 'proportionate number' shall be a number equal as nearly as practical to the proportionate number of members of that race in the total population of the state."

**Motion**

Delegate Jenkins moved for a suspension of the rules in order to allow him to address the Convention for a period of five minutes in addition to the time allowed him under the rules.

Delegate Stovall objected.

By a vote of 66 yea's and 3 nay's the rules were suspended.

**Motion**

Delegate Zervigon moved the previous question on the amendment.

Delegate Warren objected.

By a vote of 31 yea's and 44 nay's the Convention refused to order the previous question at this time.

Delegate A. Jackson moved the adoption of the amendment.

Delegate Burns objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
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<tr>
<td>Alexander</td>
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<td>Haynes</td>
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<td>Chehardy</td>
<td>Jackson, J.</td>
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<td>Flory</td>
<td>Miller</td>
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<td>Newton</td>
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<td>Ginn</td>
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**NAYS**

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**NOT VOTING**

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<tr>
<td>Avant</td>
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<td>Blair</td>
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<td>Jack</td>
<td>Segura</td>
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<td>Total—37.</td>
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</tbody>
</table>

And the amendment was rejected.

Delegate Smith moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Chairman Henry in the Chair**

Delegate Conroy sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Conroy to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, between lines 1 and 2, insert the following: "(D) The preceding provisions of this Section relating to the State Board of Elementary and Secondary Education shall take effect only if the office of state superintendent of education ceases to be an elective office. So long as the office of state superintendent of education is an elective office, there shall be a department of elementary and secondary education headed by the state superintendent of education with the powers and duties provided in paragraph (A) of this section for the State Board of Elementary and Secondary Education."

On motion of Delegate Conroy the amendment was withdrawn.

Delegate Jenkins sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Jenkins to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 2, delete lines 20 through 23, both inclusive, in their entirety, and on line 24 delete the words and punctuation "to be determined by the legislature," and all amendments thereto and insert in lieu thereof the following: "(B) Membership: Terms. The board shall consist of eleven members, eight of whom shall be elected from single-member districts to be determined by the legislature and three of whom shall be appointed by the governor with the consent of the Senate from the state at large. Each member appointed by the governor shall be chosen from a list of three nominees submitted in turn by the presidents of the following colleges as provided by law: Dillard University, Centenary College, Xavier University, Tulane University, Loyola University, Louisiana College, and St. Mary's Dominican College."

Delegate Jenkins moved the adoption of the amendment.

Delegate Stovall objected.

By a vote of 23 yea's and 72 nay's the amendment was rejected.

Delegate Stovall moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.
Passage

Committee Proposal No. 7, Section 4 was read, as amended.

Delegate Aertker moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Alexander
Arnette
Badeaux
Bel
Blair
Bien
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Chehardy
Comar
Conino
Conroy
Corne
Cowan
D’Gerolamo
De Blieux
Dennis
Dunlap
Flory
Total—80.

NAYS

Delegates—
Alario
Anzalone
Assef
Bollinger
Drew
Duval
Total—18.

NOT VOTING

Delegates—
Avant
Bergeron
Brown
Dennery
Derbes
DeShoals
Effion
Goldman
Heine
Jack
Total—33.

And the Chair declared that the above Section was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 5. Qualifications and Certification of Teachers

Section 5. The board shall prescribe and provide for the qualifications to be met by teachers and for the certification of teachers of public elementary and secondary and special schools.

Read.

Delegate Juneau sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Juneau, Leithman, and Corne to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 2 through 6, both inclusive, in their entirety

Delegate Juneau moved the adoption of the amendment.

Delegate Cannon objected.

By a vote of 66 yeas and 28 nays the amendment was adopted.

Delegate Juneau moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Section 6. Approval of Private Schools; Effect

Section 6. The board shall approve private elementary, secondary, and proprietary schools whose sustained curriculum is of a quality equal to that prescribed for similar public schools. The certificates issued by private schools so approved shall carry the same privileges as those issued by the state public schools.

Read.

Delegate Flory sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Flory to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 16, after the word “shall” and before the word “approve” insert a comma “,” and the following: “upon application;”

On motion of Delegate Flory the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Jenkins to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 8, after the word “shall” and before the word “approve” insert a comma “,” and the following: “upon application;”

AMENDMENT No. 2—

On page 3, line 10, after the word “to” and before the word “that” insert the following: “or better than”

On motion of Delegate Jenkins the amendments were adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 7, Section 6 was read, as amended

Delegate E. J. Landry moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:
Delegates—

Abraham
Aerketer
Alexander
Anzalone
Arnette
Asseff
Avant
Bel
Bergeron
Blair
Bollinger
Brien
Burns
Burson
Cannon
Carmouche
Casey
Champagne
ChateIan
Conio
Comar
Conne
Cowen
Drew
Dunlap
Duval
Fayard
Fiers
Fontenot

Total—85.

NAYS

Alloc
Badeaux
Chehardy
Conroy
D’Gerolamo
De Blieux
Dennis

Total—20.

NOT VOTING

Delegates—

Mr. Chairman
Brown
Denny
Deres
Deshots
Edwards
Elkins
Goldman
Haynes

Total—26.

And the Chair declared that the above Section was finally passed.

Delegate Landry moved to reconsider the vote by which the above Section was finally passed; and, on his own motion, the motion to reconsider was laid on the table.

Section 7. Board of Regents

Section 7. (A) Board of Regents; establishment. There is created a body corporate known as the Board of Regents. The board shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have such other powers, duties, and responsibilities as are provided in this Section by law.

(B) Board membership; terms. The members of the board shall be appointed by the governor with the consent of the Senate for overlapping terms of six years, following initial terms which shall be fixed by law. Two of the members shall be residents of each of the congressional districts within which the state is divided, and one member shall be from the state at large.

(C) Board members; per diem and expenses. The members of the Board of Regents, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, Board of Trustees for State Colleges and Universities, and any other board created pursuant to this Article shall serve without pay, but the legislature may fix the per diem and expenses to be paid to them.

(D) Vacancies. A vacancy occurring prior to the expiration of the term of the board shall be filled for the remainder of the unexpired term by appointment of the governor, with the consent of the Senate.

(E) Powers of the board. (1) The board shall have coordinating responsibilities as it relates to the elementary and secondary educational curricula. (2) The board shall have the following powers, duties, and responsibilities with respect to all public institutions of higher education and post-secondary vocational-technical training and career education:

(a) To revise or eliminate any existing degree program, department of instruction, division, or similar subdivision.

(b) To approve, disapprove, or modify any proposed degree program, department of instruction, division, or similar subdivision.

(c) To study the need for and feasibility of any new institution of post-secondary education, including branches of institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution is proposed, or an additional management board for an institution or group of institutions is proposed, or a proposal is made to transfer an existing institution from one board to another, the board shall report its findings and recommendations within one year to the legislature. Only after this written report has been filed, or if no report is filed within one year, the legislature may take affirmative action on such a proposal by vote of two-thirds of the membership of each house.

(d) To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical training and career education. As a minimum, the plan shall include a formula for the equitable distribution of funds to the institutions of higher education of the state.

(e) To require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other board hereafter created pursuant to this Section to submit to it, at times specified by it, their annual budget proposals for the operational and capital needs of each institution under the control of each. The Board of Regents shall submit its recommendations on budgets for all institutions of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements.

(F) Powers not vested. Powers of management over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested in the Board of Regents by this Section are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and to the Board of Trustees for State Colleges and Universities as to the institutions under the control of each or to any board created pursuant to this Section.

Amendment proposed by Delegate Stinson to Committee Proposal No. 7 by Delegate Aerketer, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT

Section 7. Board of Regents

Section 7. (A) Board of Regents; establishment. There is created a body corporate known as the Board of Regents. The board shall plan, coordinate, and have budgetary responsibility for all public higher education and shall have such other powers, duties, and responsibilities as are provided in this Section by law.

(B) Board membership; terms. The members of the board shall be appointed by the governor with the consent of the Senate for overlapping terms of six years, following initial terms which shall be fixed by law. Two of the members shall be residents of each of the congressional districts within which the state is divided, and one member shall be from the state at large.

(C) Board members; per diem and expenses. The members of the Board of Regents, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, Board of Trustees for State Colleges and Universities, and any other board created pursuant to this Article shall serve without pay, but the legislature may fix the per diem and expenses to be paid to them.

(D) Vacancies. A vacancy occurring prior to the expiration of the term of the board shall be filled for the remainder of the unexpired term by appointment of the governor, with the consent of the Senate.

(E) Powers of the board. (1) The board shall have coordinating responsibilities as it relates to the elementary and secondary educational curricula. (2) The board shall have the following powers, duties, and responsibilities with respect to all public institutions of higher education and post-secondary vocational-technical training and career education:

(a) To revise or eliminate any existing degree program, department of instruction, division, or similar subdivision.

(b) To approve, disapprove, or modify any proposed degree program, department of instruction, division, or similar subdivision.

(c) To study the need for and feasibility of any new institution of post-secondary education, including branches of institutions and conversion of two-year institutions to institutions offering longer courses of study. If the creation of a new institution is proposed, or an additional management board for an institution or group of institutions is proposed, or a proposal is made to transfer an existing institution from one board to another, the board shall report its findings and recommendations within one year to the legislature. Only after this written report has been filed, or if no report is filed within one year, the legislature may take affirmative action on such a proposal by vote of two-thirds of the membership of each house.

(d) To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical training and career education. As a minimum, the plan shall include a formula for the equitable distribution of funds to the institutions of higher education of the state.

(e) To require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other board hereafter created pursuant to this Section to submit to it, at times specified by it, their annual budget proposals for the operational and capital needs of each institution under the control of each. The Board of Regents shall submit its recommendations on budgets for all institutions of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements.

(F) Powers not vested. Powers of management over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested in the Board of Regents by this Section are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and to the Board of Trustees for State Colleges and Universities as to the institutions under the control of each or to any board created pursuant to this Section.

Read.

Delegate Stinson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stinson to Committee Proposal No. 7 by Delegate Aerketer, et al.

AMENDMENT No. 1—

On page 3, line 10, place a comma "", immediately after the word "education" and add the following:

"except Louisiana State University and Agricultural and Mechanical College."

Delegate Stinson moved the adoption of the amendment.

Delegate Kelly objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Asseff
Avant
Burns

Total—85.
By a vote of 55 yeas and 60 nays the amendment was rejected.

Delegate O'Neill moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stagg sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Stagg to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, delete lines 21 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Board membership; terms. The Board shall be composed of two members elected from each of the congressional districts into which the state is divided, and one member shall be appointed from the state at large by the governor with the consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law.”

Delegate Stagg moved the adoption of the amendment.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Mr. Chairman
Abraham
Anzalone
Arnette
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Burton
Cannon
Carmouche
Casey
Champlin
Chichey
Comar
Conino
Conroy
Corne
Coven
D'Gerolamo
DeBlieux
Dennis
Drew
Dunlap
Duval
Elkins
Flory
Fontenot
Fowler
Total—101.

NOT VOTING

Delegates—

Mr. Chairman
Brown
Dennery
Derbes
Deshotel
Edwards
Total—17.

And the amendment was rejected.

Delegate Kelly moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Chatelain sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Chatelain, Lanier, Roemer, Kelly, Ginn, and Reeves to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, delete lines 21 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

“(B) Board membership; terms. The Board shall consist of eleven members. One member shall be elected from each of eight single-member districts to be determined by the legislature, and the three members shall be appointed by the governor with the consent of the Senate from the state at large. The members shall serve overlapping terms of six years, following initial terms which shall be determined by the legislature.”

Delegate Chatelain moved the adoption of the amendment.
And the amendment was rejected.

Delegate Aertker moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kelly sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Kelly to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 21 through 27, both inclusive, in their entirety and insert in lieu thereof the following:

"(B) Membership; Terms. The board shall consist of eleven members, three of whom shall be appointed by the governor, with the consent of the Senate, and eight of whom shall be elected, one from each of the congressional districts into which the state is divided. The members shall serve overlapping terms of six years, following initial terms which shall be determined by the legislature."

Delegate Kelly moved the adoption of the amendment.

Delegate Womack objected.

By a vote of 69 yeas and 46 nays the amendment was adopted.

Delegate Perkins moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Sutherland sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Sutherland to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 29, delete the comma "," after the word "Regents" and delete the remainder of line 29 and all of lines 30 and 31 and at the beginning of line 32, delete the partial word and punctuation "ties."

Delegate Sutherland moved the adoption of the amendment.

Delegate Womack objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
<td>Delegates—</td>
</tr>
<tr>
<td>Alario</td>
<td>Ginn</td>
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<tr>
<td>Badeaux</td>
<td>Graham</td>
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<tr>
<td>Bel</td>
<td>Gravel</td>
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<tr>
<td>Bergeron</td>
<td>Grier</td>
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<tr>
<td>Bollinger</td>
<td>Guarisco</td>
</tr>
<tr>
<td>Casey</td>
<td>Hardee</td>
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<tr>
<td>Conroy</td>
<td>Hayes</td>
</tr>
<tr>
<td>Corne</td>
<td>Haynes</td>
</tr>
<tr>
<td>D'Gerolamo</td>
<td>Hernández</td>
</tr>
<tr>
<td>Gauthier</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Total—30</td>
<td>Landry, A.</td>
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<tr>
<td></td>
<td>Landry, E. J.</td>
</tr>
<tr>
<td></td>
<td>Lanier</td>
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<td></td>
<td>Lejeune</td>
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<td>McDaniels</td>
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<td></td>
<td>Martin</td>
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<td></td>
<td>Mauberret</td>
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<td>Maybouce</td>
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<td></td>
<td>Miller</td>
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<td>Mire</td>
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<td>Morris</td>
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<td>Total—82.</td>
</tr>
</tbody>
</table>

And the amendment was rejected.

Delegate Womack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Jackson sent up a floor amendment which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate A. Jackson, Flory, Haynes, Gravel to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, line 21, in Floor Amendment No. 1 proposed by Delegate Kelly and adopted by the Convention on November 13, 1973, on line 7 of the language added by that amendment, at the end of the line, add the following: "Not less than two members of the board shall be from the predominant minority race of the state."

Delegate A. Jackson moved the adoption of the amendment.

Delegate Jenkins objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
<thead>
<tr>
<th>YEAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delegates—</td>
</tr>
<tr>
<td>Alario</td>
</tr>
<tr>
<td>Alexander</td>
</tr>
<tr>
<td>Avant</td>
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<tr>
<td>Bergeron</td>
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<td>Blair</td>
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<tr>
<td>Brien</td>
</tr>
<tr>
<td>Burson</td>
</tr>
<tr>
<td>Chehardy</td>
</tr>
<tr>
<td>Total—30</td>
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</tr>
</tbody>
</table>
By a vote of 30 yeas and 74 nays the amendment was rejected.

Delegate O'Neill moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Jenkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Jenkins to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 4, line 8, after the word “the” and before the word “elementary” insert the word “public.”

On motion of Delegate Jenkins the amendment was adopted.

Delegate Jenkins moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Duval sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Duval to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 4, line 7, immediately after the word “punctuation” “board.” delete the remainder of the line and delete lines 8 and 9 in their entirety including Convention Floor Amendment No. 1 proposed by Delegate Jenkins and adopted by the Convention on November 13, 1973, and insert in lieu thereof the following:

“The board shall”

Delegate Duval moved the adoption of the amendment.

Delegate Sutherland objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate—

Abraham
Alario
Anzalone
Arnette
Badeaux
Bel
Bergeron
Bollinger
Bren
Burns
Burson
Cannon
Casey
Chaelain
Chehardy
Conino
Corroy
De Bieux
Duval

Total—55.

NAYS

Delegate—

Cowan
D'Geralamo
Dennis
Drew
Dunlap
Elkins
Flory

Total—48.

NAYS

Delegate—

Fontenot
Gauthier
Graham
Grier
Heine
Jenkins
Kent
Kilbourne
Langdor, A.
LeBlanc
Leigh
McDaniel
Martin
Maubrecht
Morris

Total—57.

NOT VOTING

Delegate—

Fayard
Ginn
Goldman
Hardee
Hernandez
Jack
Juneau
Lowe
Monson

Total—25.

And the amendment was rejected.

Delegate Jenkins moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Haynes moved that the Convention take up some order of business at this time.

Delegate Abraham objected.

By a vote of 18 yeas and 78 nays the Convention refused to take up other orders of business at this time.

Delegate Stovall sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stovall to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 3, delete lines 21 through 27, both inclusive, in their entirety and strike out Convention Floor Amendment No...proposed by Delegate Kelly and adopted by the Convention on November 13, 1973, and insert in lieu thereof the following:

“(B) Board Membership; terms. The membership of the Board of Regents shall be determined in the same manner as provided in Section 4 of this Article.”

Delegate Stovall moved the adoption of the amendment.

Delegate Perez objected.
Haynes       Mauberret       Slay
Hernandez    Maybuce       Soniat
Kean         Mire          Stephenson
Lambert      Morris        Sutherland
Landry, E. J. Newton       Vick
Lanier       Planhard      Wattigny
Leigh        Schmitt       Winchester
McDaniel      Segura       Wigham
Martin       Singletary    Womack

Delegates—
Mr. Chairman—Heine         Nunez
Alexander    Jack          Oursou
Comar        Kelly         Pugh
Corne        Landry, A.    Rayburn
Dennery      LeBlanc       Sanchez
Derbes       Leithman      Tapper
Deshotels    Lowe          Thistlethwaite
Edwards       Miller       Vesich
Ginn          Munson        Weiss
Goldman
Total—28.

And the amendment was adopted.

Delegate Duval moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate A. Jackson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 4, delete lines 14 and 15, both inclusive, in their entirety.

Delegate A. Jackson moved the adoption of the amendment.

Delegate Brown objected.

By a vote of 15 yeas and 87 nays the amendment was rejected.

Delegate Womack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Kelly sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Kelly to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, between lines 4 and 5, add the following:
"Student credit hours and the level of student credit hours shall be factors included in the formula."

Delegate Kelly moved the adoption of the amendment.

Delegate Womack objected.

By a vote of 9 yeas and 96 nays the amendment was rejected.

Delegate Womack moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stinson sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Stinson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 4, line 11, place a comma "," after the word "education" and insert the following:
"except Louisiana State University and Agricultural and Mechanical College."

AMENDMENT No. 2—
On page 5, delete lines 5, 6 and 7 in their entirety and insert in lieu thereof the following:
"(e) to require the Board of Trustees of State Colleges and Universities"

Delegate Stinson moved the adoption of the amendments.
Delegate Aertker objected.

By a vote of 17 yeas and 86 nays the amendments were rejected.

Delegate Aertker moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate Morris moved to take up other orders of business at this time.

Delegate Gravel objected.

By a vote of 41 yeas and 56 nays the Convention refused to take up other orders at this time.

Delegate Juneau sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegates Juneau and Cowen to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, line 8, at the end of the line, delete the partial word "Sec." and on line 9, at the beginning of the line, delete the partial word "tion" and insert in lieu thereof the word "Article"

AMENDMENT No. 2—
On page 5, line 25, at the end of the line, immediately after the word "this" delete the word "Section" and insert in lieu thereof the word "Article"

AMENDMENT No. 3—
On page 5, line 8, immediately after the word "other" and before the word "board" insert the words "higher education"

On motion of Delegate Juneau the amendments were adopted.

Delegate Juneau moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Zervigon sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Zervigon to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, line 17, immediately after the word and punctuation "vested," and before the words "of management" insert the following:
"Subject to the provisions of Paragraph (A) of this Section the powers"

Delegate Zervigon moved the adoption of the amendment.
Delegate Kean objected.
Delegate Kean moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion
Delegate Morris moved that the Convention take up other orders of business at this time.

As a substitute Delegate Kelly moved the previous question on the Section.
Delegate Morris objected.
The vote recurred on the substitute motion.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

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<th>Delegates—</th>
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Delegates—
Abraham          | Elkins     | Maybuc     |
Bel               | Flory      | Mire       |
Bollinger        | Fowler     | Morris     |
Burson           | Fulco      | O'Neil     |
Champagne        | Giarrusso  | Perez      |
Dunlap           | Glenn      | Planchard  |
Duval            | Graham     | Rachal     |
Gauthier         | Gravel     | Reeves     |
Jenkins          | Grier      | Segura     |

NAYS
Kean             | Guarisco   | Singletary |
Brown            | Hardee     | Soniat     |
Burns            | Hayes      | Stephenson |
Cannon           | Haynes     | Stovall    |
Casey            | Hernandez  | Tappin     |
Chatelain        | Jackson, A.| Tate       |
Chehardy         | Jackson, J.| Thompson  |
Comar            | Kean       | Toca       |
Conino           | Kilpatrick | Tooey      |
Conroy           | Landrum    | Wall       |
Cowan           | Landry, A. | Warren     |
D'Gerolamo       | Landry, E. J.| Wattigny  |
De Blieux        | LeBluie    | Willis     |
Dennis           | Leigh      | Winchester |
Drew             | McDaniel   | Wisham     |

Total—27.

Delegates—
Elkins           | Maybuc     | Mire       |
Flory            | Mire       | Morris     |
Fowler           | O'Neil     | Perez      |
Fulco            | Planchard  | Rachal     |
Giarrusso        | Reeves     | Segura     |
Glenn            | Singletary | Soniat     |
Graham           | Stephenson | Stovall   |
Gravel           | Tappin     | Tocia      |
Grier            | Tooey      | Wall       |
Guarisco         | Wattigny   | Willis     |
Hardee           | Winchester | Wisham    |
Hayes            |           |            |
Haynes           |           |            |
Jackson, A.      |           |            |
Jackson, J.      |           |            |
Kean             |           |            |
Kilpatrick       |           |            |
Landrum          |           |            |
Landry, A.       |           |            |
Landry, E. J.    |           |            |
LeBluie          |           |            |
Leigh            |           |            |
McDaniel         |           |            |
Martin           |           |            |

Total—74.

NOT VOTING

Delegates—
Heine            | Ours       |
Jack             | Pugh       |
Kilbourne       | Rayburn    |
Lambert          | Sandoz     |
Leithman         | Thistlethwaite |
Lowe             | Velazquez  |
Miller           | Vesich     |
Minson           | Vick       |
Newton           | Weiss      |
Nunez            | Womack     |

And the Convention refused to order the previous question on the Section.
Delegate Morris insisted upon his motion to take up other orders of business at this time.

By a vote of 61 yeas and 44 nays the Convention took up other Orders of Business at this time.

COMMITTEE NOTICE
Delegate Lambert, chairman of the Committee on Natural Resources and Environment, sent up the following notice:
The Committee on Natural Resources and Environment will meet on Wednesday, November 14, 1973, at 6:00 o'clock P.M. in the Senate Lounge and will consider the following agenda:

AGENDA
To complete the committee proposal.
Respectfully submitted,

LOUIS J. LAMBERT, JR.
Chairman of the Committee on Natural Resources and Environment

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

COMMITTEE NOTICE
Delegate Lanier, chair of the Sub-Committee on Transitional Measures for Local and Parochial Government, sent up the following notice:
The Sub-Committee on Transitional Measures for Local and Parochial Government will meet on Wednesday, November 14, 1973, after adjournment in Committee Room No. 4 and will consider the following agenda:

AGENDA
To take final action on subcommittee report.
Respectfully submitted,

WALTER I. LANIER, JR.
Chairman of the Sub-Committee on Transitional Measures for Local and Parochial Government

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence
Delegate Goldman—4 days.
Delegate Deshotels—November 13, through November 21.
Delegate Weiss—2 days.
Delegate Jack—1 day.
Delegate Dennery—1 day.
Delegate Rayburn—1 day.
Delegate Segura—½ day.
Delegate Vesich—½ day.
Delegate Sandoz—½ day.

Adjournment
Delegate Abraham moved that the Convention do now adjourn until Wednesday, November 14, 1973 at 9:00 o'clock A.M.
Which motion was agreed to.
And Chairmen Henry declared the Convention adjourned to Wednesday, November 14, 1973 at 9:00 o'clock A.M.

MOISE W. DENVERY
Secretary

DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL
OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA
EIGHTY-FIFTH DAY’S PROCEEDINGS
of the Constitutional Convention of 1973
held in accordance with Act 2 of the 1972
Regular Session of the Legislature

The Convention was called to order at 9:00 o’clock a.m., by
Hon. Thomas Casey, Vice-Chairman of the Convention.

ROLL CALL

The roll being called, the following delegates answered to
their names:

PRESENT

Delegates—

Oruso Perez Perkins Planchar Pugh Rachal Reeves Riceke Roemer Roy Sande Schmit Segura Shannon Singletary Slay Smith Sonia Stagg Stephenson Stidson Stovall Sutherland Tapper Tate Thompson Tobias Toca Tommy Ullo Valquez Vesich Vick Wall Warren Wattigny Willis Winchester Wisham Womack Zervigon

Ou

ABSENT

Delegates—
Chehardy Deshotel Goldman Lowe Munoz Rayburn

Thistlethwaite Weiss

The Chairman announced that there were 123 members
present and a quorum.

Prayer

Prayer was offered by Delegate Conroy.

Pledge of Allegiance

Delegate Badeaux led the Convention in reciting the
Pledge of Allegiance to the Flag of the United States of
America.

Reading of the Journal

On motion of Delegate Juneau, the reading of the Journal
was dispensed with.

On motion of Delegate Juneau, the Journal of yesterday
was adopted.

Regular Order

Unfinished Business

The following unfinished business in which the Conven-
tion was engaged at the time of its adjournment on yesterday
was taken up and acted on:

COMMITTEE PROPOSAL No. 7—

Introduced by Delegate Aertker, Chairman, on behalf of
the Committee on Education and Welfare and Delegates Car-
mouche, Cowen, Flory, Hernandez, Landry, Segura, Silver-
burg, Thistlethwaite, Toan and Wisham:

A PROPOSAL

Making provisions for education and necessary provisions
with respect thereto.

Read.

Section 7. Board of Regents

Section 7. (A) Board of Regents; establishment. There is
created a body corporate known as the Board of Regents.
The board shall plan, coordinate, and have budgetary re-
sponsibility for all public higher education and shall have
such other powers, duties, and responsibilities as are pro-
vided in this Section and by law.
(B) Board membership; terms. The members of the board
shall be appointed by the governor with the consent of the
Senate for overlapping terms of six years, following initial
terms which shall be fixed by law. Two of the members shall
be residents of each of the congressional districts into which
the state is divided, and one member shall be from the state
at large.
(C) Board members; per diem and expenses. The mem-
bers of the Board of Regents, Board of Supervisors of
Louisiana State University and Agricultural and Mechanical
College, Board of Trustees for State Colleges and Universi-
ties, and any other board created pursuant to this Article
shall serve without pay, but the legislature may fix the per
diem and expenses to be paid to them.
(D) Vacancies. A vacancy occurring prior to the expira-
tion of the term shall be filled for the remainder of the
unexpired term by appointment by the governor, with the
consent of the Senate.
(E) Powers of the board. (1) The board shall have co-
ordinating responsibilities as it relates to the elementary
and secondary educational curricula. (2) The board shall
have the following powers, duties, and responsibilities with
respect to all public institutions of higher education and
post-secondary vocational-technical training and career edu-
cation:
(a) To revise or eliminate any existing degree program,
department of instruction, division, or similar subdivision.
(b) To approve, disapprove, or modify any proposed degree
program, department of instruction, division, or similar sub-
division.
(c) To study the need for and feasibility of any new
institutions of post-secondary education, including branches
of institutions and conversion of two-year institutions to
institutions offering longer courses of study. If the creation
of a new institution is proposed, or an additional manage-
ment board for an institution or group of institutions is
proposed, or a proposal is made to transfer an existing
institution from one board to another, the board shall re-
port its findings and recommendations within one year to the
legislature. Only after this written report has been filed, or
if no report is filed within one year, the legislature may
take affirmative action on such a proposal by vote of two-
thirds of the membership of each house.

802
(d) To formulate and make timely revision of a master plan for higher education and post-secondary vocational-technical training and career education. As a minimum, the plan shall include a formula for the equitable distribution of funds to the institutions of higher education of the state.

(e) To require the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Trustees for State Colleges and Universities, and any other board hereafter created pursuant to this Section to submit to it, at times specified by it, their annual budget proposals for the operational and capital needs of each institution under the control of each. The Board of Regents shall submit its recommendations on budgets for all institutions of higher education and post-secondary vocational-technical training and career education in the state. It shall recommend priorities for capital construction and improvements.

(F) Powers not vested. Powers of management over public institutions of higher education and post-secondary vocational-technical training and career education not specifically vested in the Board of Regents by this Section are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and to the Board of Trustees for State Colleges and Universities as to the institutions under the control of each or to any board created pursuant to this Section.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 7, Section 7, when it adjourned on Tuesday, November 13, 1973, which was taken up and acted upon as follows:

Delegate Morris sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Flory and Morris to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 3, delete lines 21 through 27, both inclusive, in their entirety and all amendments adopted thereto and insert in lieu thereof the following:

"(B) Board membership; terms. The board shall consist of fifteen electors appointed by the governor, with the consent of the Senate, for overlapping terms of six years, following initial terms which shall be fixed by law. There shall be at least one member, and no more than two members, appointed from each of the several congressional districts."

Motion

Delegate Zervigon moved the previous question on the amendment.

Delegate Gravel objected.

By a vote of 18 yeas and 63 nays the convention refused to order the previous question at this time.

Delegate Morris moved the adoption of the amendment.

Delegate Burns objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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And the amendment was adopted.

Delegate Flory moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Delegate Aertker sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Aertker to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 7, immediately after the word and punctuation "board," insert the following:

"(1) The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education."

Delegate Aertker moved the adoption of the amendment.

Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<th>Delegates</th>
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**CALL OF THE PRESIDING OFFICER**

The roll was called with the following result:

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Thompson |      |
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Velazquez |    |
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Vick    |      |
Warren  |      |
Wattigny|      |
Winchester|   |
Wisham  |      |

**FLOOR AMENDMENT**

Amendment proposed by Delegate Aertker to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 4, line 7, immediately after the word and punctuation "board," insert the following:

"(1) The Board of Regents shall meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and higher education."

Delegate Aertker moved the adoption of the amendment.

Delegate Bollinger objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

<table>
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<tr>
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Cowen Kean Singletry
Dennery Kilpatrick Slay
Drew Landry, A. Soniat
Elkins Landry, E. J. Stephenson
Flory LeBleu Tapper
Fontenot Leigh Thompson
Fowler McDaniel Tobais
Fulco Martin Velazquez
Ginn Maybuche Vescich
Graham Miere Vick
Gravel Morris Warren
Grier O'Neill Wattigny
Guarisco Perez Ullo
Hardee Perkins Velasquez
Hayes Planchard Winchester
Haynes Pugh Wisham
Heine Rachal Zervigon
Hernandez Reeves Zervigon
Jack Riecke
Jackson, A. Sandoz
Jackson, J. Schmitt

Total—79.

Delegates—

Alario De Blieux Miller
Anzalone Derbes Roemer
Badeaux Duval Roy
Bergeron Gauthier Shannon
Blair Girrassu Smith
Bollinger Jenkins Stagg
Casey Juneau Stinson
Chatelain Kelly Toomy
Corne Kilbourne

Total—26.

NOT VOTING

Delegates—

Mr. Chairman Goldman Ousso
Alexander Lambert Rayburn
Brown Landrum Segura
Chehardy Leithman Stovall
D'Gerolamo Lowe Thistlethwaite
Deshotels Maubret Wall
Dunlap Munson Weiss
Edwards Newton Womack
Payard Nunez

Total—26.

And the amendment was adopted.

Delegate Aertker moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate A. Jackson moved the previous question on Committee Proposal No. 7, Section 7.

Delegate Zervigon objected.

By a vote of 37 yeas and 61 nays, the Convention refused to order the previous question at this time.

Delegate Miller sent in floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Miller to Committee Proposal No. 7 by Delegate Aertker, et al.

AMENDMENT No. 1—

On page 3, line 15, immediately after the word and punctuation “establishment,” delete the words “There is” and delete lines 16 through 20, both inclusive, in their entirety and insert in lieu thereof the following:

There shall be a body corporate known as the Board of Regents of the University of Louisiana, which shall be composed of all publicly supported university systems and all publicly supported universities and colleges now existing or hereafter created. The board shall be responsible for the government, control, and budgetary management of the University of Louisiana and shall exercise such powers, functions, duties and responsibilities for these purposes as are provided by this Section and by law.”

AMENDMENT No. 2—

On page 3, line 29, delete the comma “,” after the word “Regens” and delete the remainder of the line and delete lines 30 through 32, in their entirety

AMENDMENT No. 3—

On page 3, line 5, immediately after the word “the” delete the remainder of the line and delete lines 6 through 8, both inclusive, in their entirety and at the beginning of line 9, delete the partial word “then” and insert in lieu thereof the following:

“university systems, universities, and colleges governed by it forming the University of Louisiana”

AMENDMENT No. 4—

On page 5, delete lines 17 through 25, both inclusive, in their entirety

Delegate Miller moved the adoption of the amendment.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YAYS

Delegates—

Alario Girrassu
Arnette Guirisco
Badeaux Juneau
Bergeron Kelly
Bollinger LeBleu
Chatelain Leithman
Conino Miller
Corne Newton
Derbes Perez
Duval Roemer
Gauthier Schmitt

Total—34.

Delegates—

Abraham Fulco
Aertker Ginn
Anzalone Graham
Assiff Gravel
Ayans Grier
Bel Hayes
Blair Haynes
Brien Heine
Burns Hernandez
Burton Jackson
Cannon Jackson, A.
Carmouche Jackson, J.
Champane Jenkins
Coman Kean
Conroy Kilbourne
Cown Kilpatrick
De Blieux Landrum
Dennery Landry, A.
Dennis Landry, E. J.
Drew Leigh
Dunlap Lineier
Edwards Mcdaniel
Elkins Mire
Flory Nunez
Fontenot Ousso

Total—76.

NOT VOTING

Delegates—

Goldman Rayburn
Hardee Segura
Hardee Shonnard
Henderson Thompson
Jackson, A. Vick
Kilbourne Weis
Landry, A. Weis
Mcdaniel Weis
Mire Womack

Total—21.
And the amendment was rejected.

Delegate Aertker moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alario sent up a floor amendment, which was read as follows:

### FLOOR AMENDMENT

Amendment proposed by Delegate Alario to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 3, delete lines 21 through 27, both inclusive, in their entirety and all amendments adopted thereto and insert in lieu thereof the following:

"(B) Board membership; terms. The board shall consist of fifteen electors. There shall be one member elected from each congressional district of the state. The remaining members shall be appointed by the governor with the consent of the Senate, provided however, each congressional district shall not have more than one appointed member. The members shall serve for overlapping terms of six years following initial terms fixed by law."

Delegate Alario moved the adoption of the amendment.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

### ROLL CALL

The roll was called with the following result:

#### YEAS

<table>
<thead>
<tr>
<th>Delegates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alario</td>
</tr>
<tr>
<td>Anzalone</td>
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<tr>
<td>Badeaux</td>
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<tr>
<td>Bergeron</td>
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<td>Bollinger</td>
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<td>Burns</td>
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<td>Casey</td>
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<td>Conino</td>
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<td>Conroy</td>
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<td>Corne</td>
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<td>Dennevy</td>
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<tr>
<td>Drew</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Duval</td>
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<tr>
<td>Fontenot</td>
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<tr>
<td><strong>Total—48.</strong></td>
</tr>
</tbody>
</table>

#### NAYS

| Delegates      |\n|----------------|
| Abraham        | Gravel                  |
| Aertker        | Hardee                  |
| Asseff         | Hayes                   |
| Bel            | Haynes                  |
| Blair          | Hernandez               |
| Brown          | Jack                    |
| Brien          | Jackson, J.             |
| Burson         | Keen                    |
| Cannon         | Kilpatrick              |
| Carmouche      | Landrum                 |
| Champagne      | Landry, A.              |
| Comar          | Landry, E. J.           |
| Cowen          | Lanier                  |
| De Blieux      | Leigh                   |
| Dennis         | Mcdaniel                |
| Derbes         | Martin                  |
| Edwards        | Maybouce               |
| Elkins         | Mire                    |
| Flory          | Morris                  |
| Fulco          | Munson                  |
| Graham         | Newton                  |
| **Total—61.**  |

---

### NOT VOTING

| Delegates      |\n|----------------|
| Mr. Chairman   | Goldberg               |
| Alexander      | Lambert                |
| Arnette        | Lowe                   |
| Avant          | Mauberret              |
| Chehardy       | Nunez                  |
| D’Gerolamo     | Oursu                  |
| Deshotels      | Rayburn                |
| Fayard         | Total—22.              |

And the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Stovall sent up a floor amendment, which was read as follows:

### FLOOR AMENDMENT

Amendment proposed by Delegate Stovall to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 5, line 11, after the word "institutions" insert a period "." and delete the remainder of the line and delete lines 12 through 16, both inclusive in their entirety and insert in lieu thereof the following:

"The Board of Regents shall submit proposed budgets for the operational needs on behalf of all post-secondary higher education in the state. It shall submit a capital outlay budget with recommendations on priority needs for capital construction and improvements."

Delegate Stovall moved the adoption of the amendment.

Delegate Flory objected.

A record vote was asked for and ordered by the Convention.

### ROLL CALL

The roll was called with the following result:

#### YEAS

| Delegates      |\n|----------------|
| Abraham        | Derbes                  |
| Alario         | Gauthier                |
| Anzalone       | Girarrusso              |
| Bergeon        | Ginn                    |
| Bollinger      | Grier                   |
| Burns          | Guarisco                |
| Corne          | Kelly                   |
| Conroy         | Kilbourne               |
| Dennevy        | LeBleu                  |
| Drew           | Leithman                |
| Dunlap         | Miller                  |
| Duval          | Perez                   |
| Fontenot       | Perkins                 |
| **Total—36.**  |

#### NAYS

| Delegates      |\n|----------------|
| Aertker        | Edwards                |
| Asseff         | Eikins                 |
| Bel            | Flory                  |
| Blair          | Fontenot               |
| Brown          | Fowler                 |
| Brien          | Fulco                  |
| Burson         | Graham                 |
| Canton         | Gravel                 |
| Carmouche      | Grier                  |
| Champagne      | Guarisco               |
| Comar          | Hayes                  |
| Conroy         | Hernandez              |
| Cowen          | Jackson, A.            |
| De Blieux      | Keen                   |
| Dennis         | Lanier                 |
| Derbes         | Leigh                  |
| Edwards        | Martin                 |
| Elkins         | Maybouce               |
| Flory          | Mire                   |
| Fulco          | Morris                 |
| Graham         | Munson                 |
| **Total—61.**  |

---

805
Tapper  | Toca  | Winchester  |
Tate    | Vesich | Wisham     |
Thompson | Wattigny |
Total—71.

Delegates—
Mr. Chairman | Lambert  | Segura  |
Alexander    | LeBlue   | Shannon |
Chehardy     | Lowe     | Thistlethwaite|
Deshotels    | McDaniel | Vick    |
Fayard       | Mauberret| Wall    |
Goldman      | Nunez    | Warren  |
Hardee       | Ourso    | Weiss   |
Heine        | Rayburn  | Womack  |
Total—24.

And the amendment was rejected.

Delegate O'Neill moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 7 Section 7 was read, as amended.

Delegate Aertker moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
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<tbody>
<tr>
<td>Abraham</td>
<td>Grier</td>
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<tr>
<td>Aertker</td>
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<td>Arnette</td>
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<tr>
<td>Bel</td>
<td>Jack</td>
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<td>Bren</td>
<td>Jackson, J.</td>
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<tr>
<td>Brown</td>
<td>Kean</td>
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<tr>
<td>Burns</td>
<td>Kilbourne</td>
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<tr>
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<td>Kilpatrick</td>
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<tr>
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<td>Landrum</td>
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<td>McDaniel</td>
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<td>D’Gerolamo</td>
<td>Martin</td>
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<td>De Blieux</td>
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<td>Dunlap</td>
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<td>Eilkin</td>
<td>Morris</td>
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<td>Fulco</td>
<td>Newton</td>
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<tr>
<td>Graham</td>
<td>O’Neill</td>
</tr>
<tr>
<td>Gravel</td>
<td>Perkins</td>
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<tr>
<td>Total—74.</td>
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**NAYS**

<table>
<thead>
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<tbody>
<tr>
<td>Alario</td>
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<td>Anzalone</td>
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<td>Badeaux</td>
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<td>Bergeron</td>
<td>Guarisco</td>
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<td>Bollinger</td>
<td>Ginn</td>
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<td>Casey</td>
<td>Guarisco</td>
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<td>Corne</td>
<td>Jenkins</td>
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<td>Kelly</td>
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<td>Dennis</td>
<td>LeBlue</td>
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<tr>
<td>Derbes</td>
<td>LeBlue</td>
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<tr>
<td>Drew</td>
<td>LeBlue</td>
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<tr>
<td>Total—38.</td>
<td></td>
</tr>
</tbody>
</table>

Delegates—
Mr. Chairman | Deshotels |
Alexander   | Edwards  |
Chehardy    | Fayard   |

**NOT VOTING**

Lowe  | Rayburn  | Weiss |
Mauberret | Stephens |
Nunez  | Thistlethwaite |
Ourso  | Jackson, A. |
Total—19.

And the Chair declared that the above Section was finally passed.

Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Motion**

On motion of Delegate Aertker the Convention deferred action on Committee Proposal 1, Section 8 at this time.

Section 9. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 9. (A) Creation; Powers. There is created a body corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, which subject to the powers vested in the Board of Regents, shall supervise and manage the institutions and statewide agricultural and other programs administered through the Louisiana State University and Agricultural and Mechanical College system.

(B) Membership; Terms. The members of the board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Two of the members shall be residents of each of the congressional districts into which the state is divided, and one member shall be from the state at large.

(C) Vacancies. A vacancy occurring prior to the expiration of the term shall be filled for the remainder of the unexpired term by appointment by the governor, with the consent of the Senate.

Read.

Delegate Leithman sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Leithman to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, delete lines 20 through 32, both inclusive, in their entirety, and on page 7, delete lines 1 through 8 both inclusive, in their entirety.

**Motion**

Delegate O'Neill moved to suspend the rules for the purpose of allowing Delegate J. Jackson an additional 3 minutes to speak in regard to the amendment to Committee Proposal No. 7, Section 9.

Delegate Zervigon objected.

By a vote of 67 yeas and 9 nays the Rules were suspended.

Delegate Leithman moved the adoption of the amendment.

Delegate Stinson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates—</th>
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</thead>
<tbody>
<tr>
<td>Alario</td>
<td>Conroy</td>
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<td>Badeaux</td>
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<td>Bergeron</td>
<td>D’Gerolamo</td>
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<td>Bollinger</td>
<td>Derbes</td>
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<td>Casey</td>
<td>Fowler</td>
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<td>Chatelain</td>
<td>Gauthier</td>
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<td>Conino</td>
<td>Guarisco</td>
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<td>Corne</td>
<td>Heine</td>
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<td>Denenery</td>
<td>Jenkins</td>
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<tr>
<td>Dennis</td>
<td>Jenkins</td>
</tr>
<tr>
<td>Derbes</td>
<td>Kelly</td>
</tr>
<tr>
<td>Drew</td>
<td>Kelly</td>
</tr>
<tr>
<td>Total—38.</td>
<td></td>
</tr>
</tbody>
</table>

Delegates—
Mr. Chairman | Deshotels |
Alexander   | Edwards  |
Chehardy    | Fayard   |
(B) The board shall consist of the governor, as ex officio member, and fourteen members appointed by the governor, with consent of the Senate. The appointive members of the board in office on the effective date of this Section shall continue to serve until the expiration of their respective terms. Thereafter, the members shall serve twelve-year overlapping terms. The legislature shall provide for the terms of two members to expire on June first of each even-numbered calendar year. At least one member shall be appointed from each Congressional district, but at least seven appointive members shall have been students at and graduates of Louisiana State University and Agricultural and Mechanical College. No person shall be appointed to the board who would attain the age of seventy years prior to the expiration of his term. The board shall elect from its appointive members, a chairman and a vice chairman, and it shall elect a secretary, who need not be a member of the board.

(C) A vacancy occurring prior to the expiration of the term shall be filled for the remainder of the unexpired term by appointment by the governor, with consent of the Senate.

Delegate Stinson moved the adoption of the amendment.
Delegate Bergeron objected.

By a vote of 22 yeas and 64 nays the amendment was rejected.

Delegate Zervigon moved to reconsider the vote by which the amendment was rejected, and on her own motion, the motion to reconsider was laid on the table.

Delegate Abraham sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Abraham to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 22 through 32, both inclusive, in their entirety and on page 7, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. (A) There is created a body corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College which, subject to the powers vested in the Board of Regents, shall direct, control, supervise, and manage the Louisiana State University and Agricultural and Mechanical College."

Delegate Abraham moved the adoption of the amendment.
Delegate Perez objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegate Abraham
Aertker
Alario
Alexander
Arnette
Bel
Blair
Brown
Burns
Burson

NAYS

Delegates—

Cannon
Carmouche
Champagne
Conway
DeBleuex
Demaree
Dorches
Drew
Edwards

Total—33.

And the amendment was rejected.

Delegate Aertker moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Motion

Delegate J. Jackson moved that the Convention take up Committee Proposal No. 7, Section 8 at this time.

Delegate Stagg objected.

By a vote of 29 yeas and 64 nays the Convention refused to take up Committee Proposal No. 7, Section 8 at this time.

Delegate Stinson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stinson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 22 through 32, both inclusive, in their entirety and on page 7, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. (A) There is created a body corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College which, subject to the powers vested in the Board of Regents, shall direct, control, supervise, and manage the Louisiana State University and Agricultural and Mechanical College."

Delegate Aertker
Alario
Alexander
Arnette
Bel
Blair
Brown
Burns
Burson

NOT VOTING

Delegates—

Fayard
Ginn
Goldman
Haynes
Lawe
Mire
Nunez

Total—20.

By a vote of 29 yeas and 64 nays the Convention refused to take up Committee Proposal No. 7, Section 8 at this time.

Delegate Stinson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Stinson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, delete lines 22 through 32, both inclusive, in their entirety and on page 7, delete lines 1 through 8, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. (A) There is created a body corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College which, subject to the powers vested in the Board of Regents, shall direct, control, supervise, and manage the Louisiana State University and Agricultural and Mechanical College."

Delegate Aertker
Alario
Alexander
Arnette
Bel
Blair
Brown
Burns
Burson

Cannon
Carmouche
Champagne
Conway
DeBleuex
Demaree
Dorches
Drew
Edwards

Total—33.

Delegate Stinson
Cannon
Carmouche
Champagne
Conway
DeBleuex
Demaree
Dorches
Drew
Edwards

Total—40.

Delegate Aertker
Alario
Alexander
Arnette
Bel
Blair
Brown
Burns
Burson

Cannon
Carmouche
Champagne
Conway
DeBleuex
Demaree
Dorches
Drew
Edwards

Total—40.

NAYS

Delegate Stinson
Cannon
Carmouche
Champagne
Conway
DeBleuex
Demaree
Dorches
Drew
Edwards

Total—40.
Delegate Kean raised a point of order and asked a ruling from the Chair as to whether the amendment under consideration was germane to the subject matter contained in Section 9.

**RULING OF THE CHAIR**

The Chair ruled the amendment in order. Delegate Juneau moved the adoption of the amendments. Delegate Aertker objected. A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

<table>
<thead>
<tr>
<th>Delegates</th>
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<tbody>
<tr>
<td>Alario</td>
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<tr>
<td>Alexander</td>
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<td>Guarruso</td>
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<td>Ginn</td>
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<td>Grier</td>
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Total—46.

**NAYS**

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<tr>
<td>Haynes</td>
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<td>Wattigny</td>
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<tr>
<td>Willis</td>
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<tr>
<td>Zervigon</td>
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</tbody>
</table>

Total—64.

And the amendments were rejected.

Delegate Aertker moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Juneau sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Juneau, Corne and J. Jackson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, at the end of line 21, after the word “College” add the following: “and Board of Governors for State Colleges and Universities”

**AMENDMENT No. 2—**

On page 6, between lines 29 and 30, insert the following: “(B) boards of governors of state colleges and universities; creation and powers. There is created bodies corporate, known as the Board of Governors of Southern University and Agricultural and Mechanical College, the Board of Governors of Northeast Louisiana University, the Board of Governors of Grambling College, the Board of Governors of the University of Southwestern Louisiana, which subject to the powers vested in the Board of Regents, shall supervise and manage their respective colleges and universities.”

**AMENDMENT No. 3—**

On page 6, at the beginning of line 30, change the letter “(B)” to the letter “(C)”

**AMENDMENT No. 4—**

On page 6, line 30, after the words “of the” and before the word “shall” delete the word “board” and insert in lieu thereof the words “respective boards”

**AMENDMENT No. 5—**

On page 7, line 1, after the word “members” and before the word “shall” insert the words “of each board”

**AMENDMENT No. 6—**

On page 7, at the beginning of line 5, change the letter “(C)” to the letter “(D)”

And the amendments were rejected.

Delegate Aertker moved to reconsider the vote by which the amendments were rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Zervigon sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegates Zervigon and Perkins to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, line 22, immediately after the words “terms of” and before the word “years” delete the word “six” and insert in lieu thereof the word “ten.”

AMENDMENT No. 2—
On page 7, line 1, immediately after the word “law” and before the word “Two” change the period “.” to a comma “,” and add the following: “provided that no member shall be eligible to succeed himself.”

On request of Delegate Singletary a division of the question was ordered.

Delegate Zervigon moved the adoption of Amendment No. 2.
Delegate Thompson objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Abraham
Alario
Alexander
Anzalone
Arnette
Asseff
Burson
Casey
Comar
Conroy
De Blieux
Drew
Haguo
Graham
Grier

Total—42.

NAYS

Delegates—
Abraham
Alario
Alexander
Avant
Badeaux
Bel
Bergeron
Bollinger
Brown
Carmouche
Champagne
Comar
Conino
Corne
Dennis
Derbes
Drew
Dunlap
Duval
Elkins

Total—62.

NOT VOTING

Delegates—
Mr. Chairman
Aertker
Asseff
Avant
Blair
Brown
Burson
Carmouche
Champagne
Conroy
D’Gerolamo
De Blieux
Elkins
Flory
Graham
Guarisco
Hayes

Total—47.

Duel

Pugh

Wall

Winchester

Wisham

Womack

The amendment was adopted.
Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Zervigon moved the adoption of Amendment No. 1.
Delegate Thompson objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Anzalone
Arnette
Hague
Asseff
Henderson
Jack
Jenks
Kean
Kilbourne
LeBlanc
LeBlanc
Leigh
Mauberret
Morris
Newton
O’Neill

Total—42.

NAYS

Delegates—
Anzalone
Alario
Arnette
Avant
Avant
Bel
Bergeron
Brown
Carmouche
Champagne
Conino
Conroy
Corne
D’Gerolamo
Dennery
Dendy
Drew
Dunlap
Duval
Elkins

Total—63.

NOT VOTING

Delegates—
Mr. Chairman
Aertker
Burns
Cannon
Chehardy
Cowan
Deshotels
Edwards
Fowler

Total—24.

And the amendment was adopted.
Delegate Zervigon moved to reconsider the vote by which the amendment was adopted, and on her own motion, the motion to reconsider was laid on the table.

Delegate Zervigon moved the adoption of Amendment No. 1.
Delegate Thompson objected.
A record vote was asked for and ordered by the Convention.

ROLL CALL
The roll was called with the following result:

YEAS

Delegates—
Guarisco
Hardee
Henderson
Henderson
Jackson
Jenks
Kean
Kilbourne
LeBlanc
LeBlanc
Leigh
Mauberret
Morris
Newton
O’Neill

Total—42.

NAYS

Delegates—
Fawry
Flory
Fontenot
Gauthier
Gauthier
Ginn
Ginn
Hayes
Jackson
Jackson
Jackson
Jackson
Jackson
Johnson
Johnson
Johnson
Johnson
Johnson
Johnson
Johnson
Johnson
Johnson

Total—63.

NOT VOTING

Delegates—
Fowler
Goldman
Gravel
Haynes
Lambert
Lowe
Mire
Munson

Total—24.

And the amendment was rejected.
Delegate Cowen moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate J. Jackson sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT
Amendment proposed by Delegate J. Jackson to Committee Proposal No. 7 by Delegate Aertker, et al.
Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 20 through 22, both inclusive, in
their entirety and on page 7, delete lines 1 through 4, both inclusive, in their entirety and delete Convention floor amendment No. 2 proposed by Delegate Zervigon et al and adopted by the Convention on November 14, 1973, and insert in lieu thereof the following:

"Section 9. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; Board of Supervisors of Southern University and Agricultural and Mechanical College

Section 9. (A) Creation; Powers. There is created in the state corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College and the Board of Supervisors of Southern University and Agricultural and Mechanical College, which subject to the powers vested in the Board of Regents, shall supervise and manage the institutions and statewide agricultural and other programs administered through the Louisiana State University and Agricultural and Mechanical College system.

(B) Membership; terms. The members of each board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Each board shall be composed of two members from each of the congressional districts into which the state is divided, and one member shall be from the state at large."

Delegate J. Jackson moved the adoption of the amendment.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario
Alexander
Anzalone
Avant
Badeaux
Bel
Bergeron
Boilinger
Brien
Casey
Chatelain
Comar
Conroy
Corne
De Blieux
Denney
Derbes
Duval
Flory
Fulco
Gauthier

Total—62.

NAYS

Delegates—

Abraham
Aertker
Arnette
Assay
Blair
Burson
Carmouche
Champagne
Conino
C Owen
D’Gerolamo
Dennis
Drew
Dunlap
Elkins
Fayard

Total—46.

DELEGATES—

Mr. Chairman
Brown
Burns
Cannon
Chehardy
Deshots
Dews
Fontenot

Total—23.

NOT VOTING

Delegates—

Goldman
Graham
Gravel
Haynes
Lambert
Lowe
Mire
Morris

Munson
Nunez
Ouso
Rayburn
Stephenson
Thistletwaille
Weiss

And the amendment was adopted.

Delegate J. Jackson moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair

Delegate Perkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Perkins and Zervigon to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed as proposal as follows:

AMENDMENT No. 1—

On page 7, in Convention Floor Amendment No. 1 proposed by Delegate J. Jackson and adopted by the Convention on November 14, 1973, at the end of line 25 added thereby after the word and punctuation "large," insert the following:

"There shall be at least one member representing each of the several campuses within the system who has attended the university at the campus represented for at least one year."

Delegate Perkins moved the adoption of the amendment.

Delegate Smith objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario
Alexander
Anzalone
Assay
Bel
Bergeron
Casey
Conroy
Corne
D’Gerolamo
Dennery
Dunlap
Fayard
Fowler
Fulco
Gauthier
Giarrusso

Total—59.

NAYS

Delegates—

Abraham
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen
Dennis
Drew
Dunlap
Elkins
Fayard

Total—46.

DELEGATES—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—49.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—46.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—49.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—46.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—49.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—46.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—49.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—46.

NAYS

Delegates—

Dennis
Aertker
Arnette
Avant
Badeaux
Blair
Boilinger
Brien
Burson
Carmouche
Champagne
C Owen

Total—49.
Segura
Singletary
Slay
Smith
Total—50.

Delegates—
Mr. Chairman
Brown
Burns
Cannon
Chehardy
Deshotels
Edwards
Goldman
Graham
Gravel
Haynes
Heine
Total—22.

And the amendment was adopted.

Delegate Perkins moved to reconsider the vote by which the amendment was adopted, and to lay the motion to reconsider on the table.

Delegate Stagg objected to tabling the motion to reconsider.

By a vote of 44 yeas and 58 nays the Convention refused to table the motion to consider.

Delegate Perkins insisted upon her motion to reconsider the vote by which the amendment was adopted.

Delegate Stagg.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Mr. Chairman
Abraham
Aertker
Arnette
Avant
Badeaux
Blair
Bollinger
Brien
Burson
Carmouche
Champagne
Corino
Cowen
D'Gerolamo
De Blieux
Dennis
Drew
Duval
Elkins
Flory
Fontenot
Fowler
Total—67.

Delegates—
Alario
Alexander
Anzalone
Asseff
Bel
Bergeron
Casey
Chatelain
Comar
Conroy
Corne
Dennery
Derbes
Total—39.

Delegates—
Brown

NOT VOTING

Cannon

Cheredy
Deshotels
Edwards
Goldman
Graham
Gravel
Haynes
Heine

Not—25.

And the vote by which the amendment was adopted, was reconsidered.

Motion

Delegate Perez moved that the Convention do now take up other orders of business.

Delegate Roy objected.

By a vote of 50 yeas and 53 nays the Convention refused to take up other orders of business at this time.

FLOOR AMENDMENT

Amendment proposed by Delegates Perkins and Zervigon to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, in Convention Floor Amendment No. 1 proposed by Delegate J. Jackson and adopted by the Convention on November 14, 1973, at the end of line 23 added thereby after the word and punctuation “large,” insert the following:

"There shall be at least one member representing each of the several campuses within the system who has attended the university at the campus represented for at least one year."

Delegate Perkins moved the adoption of the amendment.

Delegate Stagg objected.

By a vote of 44 yeas and 58 nays the amendment was rejected.

Motion

On motion of Delegate Anzalone, the Convention altered the Order of Business to take up other Orders of Business at this time.

COMMITTEE NOTICE

Judge Tate, chairman of the Committee on Style and Drafting, sent up the following notice:

The Committee on Style and Drafting will meet on Wednesday, November 28; Thursday, November 29; Friday, November 30 at 1:00 o'clock P.M. Wednesday in the Treaty Room and each day thereafter at a time established before adjournment and will consider the following agenda:

AGENDA

All proposals pending consideration of Style and Drafting in order of adoption by the Convention.

Respectfully submitted,

ALBERT TATE, JR.
Chairman of the Committee on Style and Drafting

The above notice was read in open session and publicly posted as provided by the Rules of Procedure of the Convention.

Leaves of Absence

Delegate Rayburn—1 day.

Delegate Chehardy—1/2 day.

Adjournment

Delegate Abraham moved that the Convention do now adjourn until Thursday, November 15, 1973 at 9:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Thursday, November 15, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary
DAVID R. POYNTER
Chief Clerk
OFFICIAL JOURNAL OF THE
CONSTITUTIONAL CONVENTION
OF 1973
OF THE
STATE OF LOUISIANA
EIGHTY-SIXTH DAY'S PROCEEDINGS
of the Constitutional Convention of 1973 held in accordance with Act 2 of the 1972 Regular Session of the Legislature
The Convention was called to order at 9:00 o'clock a.m., by Hon. E. L. Henry, Chairman of the Convention,
ROLL CALL
The roll being called, the following delegates answered to their names:

PRESENT

Delegates—
Mr. Chairman—
Abraham
Aerker
Alario
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brien
Brown
Burns
Burson
Cannon
Carmouche
Casey
Champagne
Chatelain
Comar
Conino
Conroy
Corne
Cown
D'Gerolamo
De Blieux
Dennery
Dennis
Derbes
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fowler
Fulco

Perez
Perkins
Planchard
Pugh
Rachal
Rayburn
Reeves
Riecke
Roemer
Roy
Sandoz
Schmitt
Segura
Shannon
Singleton
Slay
Smith
Soniat
Stagg
Stephenson
Stinson
Stovall
Sutherland
Tupper
Tate
Thompson
Toallas
Toca
Tommy
Ulo
Velazquez
Vezich
Vick
Wall
Warren
Watling
Weiss
Willis
Winchester
Wisham
Womack
Zervigon

Delegates—
Anzalone
Chehardy

Deshots
Goldman

Thistlethwaite

Total—126.

ABSENT

Total—5.

The Chairman announced that there were 126 members present and a quorum.

Prayer
Prayer was offered by Delegate Abraham.

Pledge of Allegiance
Delegate Conino led the Convention in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal
On motion of Delegate Roy, the reading of the Journal was dispensed with.

On motion of Delegate Roemer, the Journal of yesterday was adopted.

Morning Hour
Reports of Committees
The following reports of committees were received and read:

Delegate Dennis, chairman, on behalf of the Committee on the Judiciary, submitted the following report:

State of Louisiana
Constitutional Convention of 1973


To the Chairman and Delegates of the Constitutional Convention:

I am directed by your Committee on the Judiciary to submit the following report:

DELEGATE PROPOSAL No. 32—
By Delegate Drew:

A PROPOSAL

To provide with respect to the court of appeal circuits and districts.

Reported without action.

DELEGATE PROPOSAL No. 43—
Introduced by Delegates J. Jackson, A. Jackson, Warren, Ray, Gravel, Stovall, Pugh, and Gauthier:

A PROPOSAL

Providing for juvenile courts having exclusive original jurisdiction with the exception for offenses of murder, aggravated kidnapping, armed robbery, or aggravated rape.

Reported without action.

Motion
Delegate Chatelain moved that the Convention adopt a work schedule of Thursday, November 15, 1973 through Wednesday, November 21, 1973 with the exception of the morning of Sunday, November 18, 1973.

As a substitute Delegate Cowen moved that the Convention adopt a work schedule of Thursday, November 15, 1973 through Wednesday, November 21, 1973 with the exception of Sunday, November 18, 1973.

The vote recurred on the substitute motion.

By a vote of 31 ayes and 54 nays the Convention refused to adopt a work schedule of Thursday, November 15, 1973 through Wednesday, November 21, 1973, with the exception of Sunday, November 18, 1973.

Delegate Chatelain insisted upon his original motion.

Delegate Cowen objected.

By a vote of 68 ayes and 18 nays the Convention adopted a work schedule of Thursday 15, 1973, through Wednesday, November 21, 1973, with the exception of the morning of Sunday, November 18, 1973.

Unfinished Business
The following unfinished business in which the Convention was engaged at the time of its adjournment on yesterday was taken up and acted on:

812
86th Days Proceedings—November 15, 1973

Proposals
Delegate and Committee

The following entitled Delegate and Committee Proposals were taken up on their third reading and final passage:

Section 9. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 9, (A) Creation: Powers. There is created a body corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, which subject to the powers vested in the Board of Regents, shall supervise and manage the institutions and statewide agricultural and other programs administered through the Louisiana State University and Agricultural and Mechanical College system.

1) Membership: Terms. The members of the board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Two of the members shall be residents of each State the congressional districts into which the state is divided, and one member shall be from the state at large.

(C) Vacancies. A vacancy occurring prior to the expiration of the term shall be filled for the remainder of the unexpired term by appointment by the governor, with the consent of the Senate.

Read.

The Chairman announced that the Convention had under consideration Committee Proposal No. 7, Section 9 when it adjourned on Wednesday, November 14, 1973, which was taken up and acted upon as follows:

Delegate Miller sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Miller and Gauthier to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, between lines 8 and 9, add the following Paragraph:

"(D) Merger and consolidation; establishment of university system. The legislature, by two-thirds vote of the elected members of each house thereof, may provide for the merger or consolidation of the Board of Regents, the Board of Trustees for State Colleges and Universities and the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College into a single board and may vest in said board the coordination, government, supervision, control and budgetary responsibility for all publicly supported university systems, universities and colleges and such other powers, duties, responsibilities and functions with respect to education above the secondary level as it shall determine. In such case the legislature shall establish a university system for the state composed of all publicly supported university systems and all publically supported universities and colleges now or hereafter created, and may vest in a single board herein authorized all responsibility for the government, control, and budgetary management of the university system."

Delegate Miller moved the adoption of the amendment.

Delegate Aertker objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Alario

Alexander

Arnetie

O'Neill

Roemer

Soniat

Tobias

Toomy

Wall

Warren

Willis

Zervignon

NAYS

Grier

Hayes

Haynes

Hernandez

Jack

Jackson, A.

Jenkins

Keep

Kilbourne

Kirpatrick

Lambert

Landry, A.

Landry, E. J.

Lanier

Leigh

Lowe

McDaniel

Martin

Maubreter

Maybecue

Morris

Munson

Newton

Planchard

Pugh

Willeh

NOT VOTING

Hardee

Heine

Jackson, J.

Juncau

Landrum

LeBleu

Mire

Ourso

Perez

Perkins

Reeves

Segura

Stephenson

Stovall

Thistlewaite

Womack

Asseff

Badeaux

Bergeron

Bollinger

Casey

Chatelet

Conroy

Corne

Dennis

Derbes

Drew

Gauthier

Giarrusso

Guarisco

Kelry

Leithman

Miller

Nunez

O’Neill

Roemer

Soniat

Tobias

Toomy

Wall

Warren

Willis

Zervignon

AMENDMENT No. 1—

On page 7, in Floor Amendment No. 1 proposed by Delegate Jackson and adopted by the Convention on November 15, 1973, at the end of the last line of said floor amendment, change the period "." after the words "at large" to a comma "," and add the following:

"of which there shall be at least one member representing each of the several undergraduate campuses having a student enrollment of at least four thousand, who has attended the university at the undergraduate campus represented for at least one year."

Motion

Delegate Fontenot moved the previous question on the amendment.

Delegate Tobins objected.

By a vote of 23 yeas and 71 nays the Convention refused to move the previous question at this time.
Delegate Bergeron moved the adoption of the amendment. Delegate Fontenot objected. A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Alario</td>
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<tr>
<td>Bergeron</td>
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<td>De Badeaux</td>
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<td>De Blieux</td>
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<td>Duncan</td>
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<td>Flory</td>
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<td>Fontenot</td>
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<td>Fowler</td>
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<td>Fulco</td>
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<tr>
<td>Graham</td>
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<td>Gravel</td>
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</tbody>
</table>

Total—42.

**NAYS**

Delegates—

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Acketer</td>
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<td>De Blieux</td>
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<td>Dunlap</td>
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<td>Fulco</td>
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<tr>
<td>Graham</td>
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<tr>
<td>Gravel</td>
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</tbody>
</table>

Total—64.

**NOT VOTING**

Delegates—

<table>
<thead>
<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Mr. Chairman</td>
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<tr>
<td>Abraham</td>
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<tr>
<td>Anzalone</td>
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<td>Brown</td>
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<td>Chehardy</td>
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<td>Deshotels</td>
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<tr>
<td>Edwards</td>
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<tr>
<td>Fayard</td>
</tr>
<tr>
<td>Goldman</td>
</tr>
</tbody>
</table>

Total—25.

And the amendment was rejected.

Delegate Fontenot moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Alexander moved the adoption of the amendment. Delegate Pugh objected. By a vote of 27 yeas and 74 nays the amendment was rejected.

Delegate Pugh moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Duval sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 7 by Delegate Acketer, et al. Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 7, between lines 8 and 9, add the following paragraph:

“(D) Merger and Consolidation. The legislature, by a two-thirds vote of the elected members of each house thereof, may provide for the merger or consolidation or restructuring of any of the boards created in this article into a single board or lesser number of boards and may vest in said board or boards the coordination, government, supervision, control and budgetary responsibility for all publicly supported university systems, universities and colleges and such other powers, duties, responsibilities and functions with respect to education above the secondary level as the board or boards shall determine.”

On motion of Delegate Duval the amendment was withdrawn.

Delegate Duval sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Duval to Committee Proposal No. 7 by Delegate Acketer, et al. Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**

On page 7, between lines 8 and 9, add the following paragraph:

“(D) Merger and Consolidation. The legislature, by a two-thirds vote of the elected members of each house thereof, may provide for the merger or consolidation or restructuring of any of the boards created in this article into a single board or lesser number of boards and may vest in said board or boards the coordination, government, supervision, control and budgetary responsibility for all publicly supported university systems, universities and colleges and such other powers, duties, responsibilities and functions with respect to education above the secondary level as the legislature shall determine.”

Delegate Duval moved the adoption of the amendment. Delegate Hernandez objected. A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

<table>
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<tr>
<th>Delegate</th>
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<tbody>
<tr>
<td>Alario</td>
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<td>Bergeron</td>
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<td>Badeaux</td>
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<tr>
<td>Bel</td>
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</tbody>
</table>

Amend reprinted as engrossed proposal as follows:
86th Days Proceedings—November 15, 1973

Drew
LeBieu
Tupper

Duval
Leithman
Tobias

Fowler
Miller
Toza

Gauthier
Nunez
Toomy

Giarrusso
Reeves
Ullo

Guarisco
Roemer
Willis

Juneau
Schmitt
Zervigon

Kelly
Soniat

Lanier
Stovall

Total—40.

Delegates—

Aerkker
Haynes
Riecke

Asseff
Hernandez
Roy

Avant
Jack
Sandoz

Blair
Jackson, A.
Segura

Brien
Jenkins
Shannon

Burns
Kear
Singletary

Burson
Kilbourne
Slay

Carmouche
Lambert
Smith

Champagne
Landry, A.
Stagg

Comar
Landry, E. J.
Stinson

Cowen
Leigh
Sutherland

D'Gerolamo
Lowe
Tate

Dennery
McDaniel
Thompson

Dunlap
Martin
Velasquez

Elkins
Maurieret
Vesich

Flory
Maybuce
Vick

Fontenot
Morris
Wall

Fulce
Munson
Warren

Graham
Newton
Wattigny

Gravel
O'Neilll
Weiss

Grier
Planchard
Winchester

Hayes
Rachal
Wisham

Total—66.

NOT VOTING

Delegates—

Mr. Chairman
Ginn
Perez

Abraham
Goldman
Perkins

Anzalone
Hardee
Pugh

Brown
Henna
Rayburn

Cannon
Jackson, J.
Stephenson

Chehardy
Kilpatrick
Thistledthwaite

Deshots
Landrum
Womack

Edwards
Mire

Fayard
Ourse

Total—25.

And the amendment was rejected.

Delegate Hernandez moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Roy sent up floor amendments, which were read as follows:

FLOOR AMENDMENTS

Amendments proposed by Delegate Roy to Committee Proposal No. 7 by Delegate Aerkker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 6, line 20, delete Floor Amendment No. 1, proposed by Delegate J. Jackson, and adopted by the Convention on November 14, 1973.

AMENDMENT No. 2—

On page 6, delete lines 20 through 32, both inclusive, in their entirety, and on page 7, delete lines 1 through 4, both inclusive, in their entirety and insert in lieu thereof the following:

"Section 9. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College

Section 8. (A) Creation; Powers. There is created a body corporate, known as the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, which subject to the powers vested in the Board of Regents, shall supervise and manage the institutions and statewide agricultural and other programs administered through the Louisiana State University and Agricultural and Mechanical College system.

(B) Membership; Terms. The members of the board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. The board shall be composed of two members from each of the congressional districts into which the state is divided, and one member shall be from the state at large."

POINT OF ORDER

Delegate Zervigon raised a point of order suggesting that the amendments were out of order at this time for the reason that the amendments were identical to amendments previously considered under this section.

Ruling of the Chair

The chair ruled that the amendments were in order.

Appeal from the Ruling of the Chair

Delegate Zervigon appealed the ruling of the chair.

The vote recurred on sustaining the chair under the rules.

By a vote of 84 yeas and 16 nays the chair was sustained.

Motion

Delegate Tobiss moved to table the amendment.

Delegate Roy objected.

By a vote of 41 yeas and 59 nays the Convention refused to table the amendment.

Motion

On motion of Delegate Roy the amendments were withdrawn.

Motion

Delegate Aerkker moved that the Convention take up Committee Proposal No. 7, Section 8, out of its regular order, at this time.

Delegate Tobiss objected.

By a vote of 91 yeas and 3 nays the Convention took up Committee Proposal No. 7, Section 8, out of its regular order, at this time.

Section 8. Board of Trustees for State Colleges and Universities

Section 8. (A) Creation; Powers. There is created a body corporate known as the Board of Trustees for State Colleges and Universities which, subject to the powers vested in the Board of Regents by this Article, shall have:

(1) Supervision and management of all state colleges and universities except those included under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and any other board hereafter created pursuant to this Article.

(2) Unless and until the legislature shall provide otherwise, supervision and management of all public institutions of vocational-technical training and career education at post-secondary levels.

(B) Board Membership; Terms. The members of the board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Two of the members shall be residents of each of the congressional districts into which the state is divided, and one member shall be from the state at large.

(C) Vacancies. A vacancy occurring prior to the expiration of the term shall be filled for the remainder of the unexpired term by appointment by the governor, with the consent of the Senate.

Read.

Delegate A. Jackson sent up a floor amendment, which was read as follows:
FLOOR AMENDMENT

Amendment proposed by Delegate A. Jackson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, line 3, after the word and punctuation “College,” add the following:
“Board of Governors of Southern University and Agricultural and Mechanical College.”

On motion of Delegate A. Jackson the amendment was withdrawn.

Delegate Drew sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegate Drew to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 6, delete lines 5 through 8, both inclusive, in their entirety.

Delegate Aertker moved the adoption of the amendment.

Delegate Drew objected.

By a vote of 41 yeas and 57 nays the amendment was rejected.

Delegate Aertker moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Segura sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Segura and Pugh to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—
On page 5, delete lines 26 through 32, both inclusive, in their entirety and on page 6, delete lines 1 through 15, both inclusive, in their entirety and on page 6, delete lines 1 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

“Section 8. Boards of Trustees for State Colleges and Universities

Section 8. (A) Creation; powers. There is created a Board of Trustees to supervise, manage, and govern all public institutions of vocational-technical training and career education at post-secondary levels together with all colleges and universities, not otherwise provided for in this constitution. As each such institution reaches an initial student enrollment of twelve thousand it may have a separate Board of Trustees.

(B) Board membership; terms. The members of each board of trustees created pursuant to this section shall be appointed by the governor with the consent of the Senate for overlapping terms of six years, following initial terms which shall be fixed by law. The board shall be composed of seventeen members, two from each of the congressional districts into which the state is divided, and one member shall be from the state at large.

Delegate Segura moved the adoption of the amendment.

Delegate Kelly objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—
Alario
Brien
Carmouche
Chatelain
Corne
D’Gerolamo
Fulco
Gauthier
Guarisco
Heine
Jack
Total—32.

NAYS

Delegates—
Aertker
Alexander
Arnette
Asseff
Avant
Badeaux
Bel
Bergeron
Blair
Bollinger
Brown
Burns
Cannon
Casey
Champagne
Comer
Conline
Conroy
Cowen
DeBleux
Dennery
Dennis
Derbes
Drew
Dunlap
Duval
Total—77.

NOT VOTING

Delegates—
Mr. Chairman
Abraham
Anzalona
Barson
Chachardy
Deshotel
Edwards
Goldman
Total—22.

And the amendment was rejected.
Delegate Kelly moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Toca sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Toca to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 5, delete lines 27 through 32, both inclusive, in their entirety and on page 6, delete lines 1 through 15, both inclusive, in their entirety and insert in lieu thereof the following:

“versities; Board of Trustees for Public Institutions of Vocational-Technical Training and Career Education Section 8. (A) Creation: Powers. There is created bodies corporate, known as the Board of Trustees for State Colleges and Universities, and the Board of Trustees for Public Institutions of Vocational-technical Training and Career Education which, subject to the powers vested in the Board of Regents by this Article, shall have the following specific powers:

1. The Board of Trustees for State Colleges and Universities shall have supervision and management of all public institutions of higher education except those included under the management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Trustees of Southern University.

2. The Board of Trustees for Public Institutions of Vocational-technical Training and Career Education shall have supervision and management of all public institutions of vocational-technical training and career education at post-secondary levels.

(B) Board Membership; Terms. The members of each board shall be appointed by the governor, with the consent of the Senate, for overlapping terms of six years following initial terms which shall be fixed by law. Each board shall be composed of two members from each of the congressional districts into which the state is divided, and one member shall be from the state at large.”

Delegate Toca moved the adoption of the amendment.

Delegate Roy objected. A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<tr>
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<td>Alexander</td>
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<td>Bergeron</td>
<td>Mr. Arnette</td>
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<td>Mr. Assieff</td>
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<td>Conino</td>
<td>Mr. Badeaux</td>
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<td>Conroy</td>
<td>Mr. Bel</td>
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<tr>
<td>D’Gerolamo</td>
<td>Mr. Blair</td>
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<tr>
<td>Drew</td>
<td>Bollinger</td>
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<tr>
<td>Dunlap</td>
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<tr>
<td>Duval</td>
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<table>
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<tr>
<th>Delegates</th>
<th>Bollinger</th>
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<tbody>
<tr>
<td>Alario</td>
<td>De Brieux</td>
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<td>Denney</td>
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<td>Derbes</td>
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<td>Fulco</td>
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<td>Total—64.</td>
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</table>

Delegate Aertker moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate A. Jackson sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate A. Jackson to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 6, line 3, after the word and punctuation “College,” insert the following:

“Board of Supervisors of Southern University and Agricultural and Mechanical College.”

Delegate Velazquez moved the adoption of the amendment. Delegate Roy objected. A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

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<th>YEAS</th>
<th>NAYS</th>
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<td>Alario</td>
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<td>Alexander</td>
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<td>Badeaux</td>
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<td>Brien</td>
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<td>Brown</td>
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<tr>
<td>Comar</td>
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<td>Fulco</td>
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<tr>
<td>Total—64.</td>
<td>Gauthier</td>
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</table>

<table>
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<tr>
<th>Delegates</th>
<th>Gauthier</th>
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<td>Alario</td>
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<tr>
<td>Total—64.</td>
<td>Gauthier</td>
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</tbody>
</table>

SANDOZ
SHANNON
SINGLETARY
SAY
SMITH
STAGG
STINSON
TAPPER
THOMPSON
WATIGNY
WOMACK
ZERVIGON
Delegates—

Aertker
Arnette
Assef
Avant
Cannon
Carmouche
Casey
Champagne
Chatelain
Cowan
Dennis
Dunlap
Elkins
Fayard
Fontenot
Graham

Total—46.

Delegates—

Mr. Chairman
Abraham
Anzalone
Burns
Burson
Chehardy
Deshotels

Total—21.

And the amendment was adopted.

Delegate Velazquez moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

Passage

Committee Proposal No. 7, Section 8 was read, as amended.

Delegate Segura moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aertker
Arnette
Assef
Avant
Badeaux
Bel
Blair
Brown
Burns
Cannon
Carmouche
Champagne
Chehardy
Comar
Conlin
Corne
Cowan
D’Geraldo
De Blieux
Dennery
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fulco
Gauthier
Giarrusso

Total—40.

Delegates—

Alario
Arnette
Assef

Total—70.

NAYS

Delegates—

Aertker
Arnette
Assef

Total—21.

Not Voting

Delegates—

Mr. Chairman
Abraham
Anzalone
Burson
Chehardy
Deshotels

Total—22.

And the Chair declared that the above Section was finally passed.

Delegate Segura moved to reconsider the vote by which the above Section was finally passed, and, to lay the motion to reconsider on the table.

Delegate Conroy objected to tabling the motion to reconsider the vote by which the amendment was adopted.

By a vote of 18 yeas and 87 nays and the Convention refused to table the motion to reconsider.

Vice Chairman Casey in the Chair

Delegate Stovall moved to defer action on Committee Proposal No. 7, Section 8, at this time.

Delegate Kean objected.

A record vote was asked for and ordered by the Convention.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aertker
Arnette
Assef
Avant
Badeaux
Bel
Blair
Brown
Burns
Cannon
Carmouche
Champagne
Chehardy
Comar
Conlin
Corne
Cowan
D’Geraldo
De Blieux
Dennery
Drew
Dunlap
Duval
Edwards
Elkins
Fayard
Flory
Fulco
Gauthier
Giarrusso

Total—41.

Delegates—

Alario
Arnette
Assef

Total—39.

NAYS

Delegates—

Aertker
Arnette
Assef

Total—71.
By a vote of 19 yeas and 77 nays the Convention refused to order the previous question at this time.

Delegate Roy moved the adoption of the amendment.
Delegate J. Jackson objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Aertker
Arnette
Assent
Avant
Bien
Brown
Carmouche
Champagne
Chatelain
Cowen
Dennis
Dunlap
Edwards
Fayard
total—44.

Delegates—
Alario
Alexander
Badeaux
Bel
Bergeron
Blair
Bollinger
Burns
Casey
Comar
Conino
Conroy
Corne
D’Gerolamo
De Blieux
Denner
Derbes
Duffy
Elkins
Flory
Fulco
Gauthier
Giarusso
Ginn
total—71.

**NAYS**

Delegates—
Grier
Guarisco
Hayes
Haynes
Jackson
Jackson, A.
Jenkins
Junear
Kean
Kelly
Kilbourne
Kilpatrick
Landrum
Landry, A.
Lanier
LeBlanc
LeGein
LeHuytran
McDaniel
Maybuck
Muller
Nunez
O’Neill

**NOT VOTING**

Delegates—
Mr. Chairman
Abraham
Anzalone
Burson
Cannon
Chehardy
total—16.

And the amendment was rejected.

Delegate J. Jackson moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

**Passage**

Committee Proposal No. 7 Section 9 was read, as amended.
Delegate Aertker moved the final passage of the Section.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—
Aertker
Arnette
Alexander
Avant
Badeaux
Behr
Deshotels
Fowler
Goldman
Mauberret
Munson
Rayburn
Thistlethwaite
Toca
Vesieh
Wall

819
Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—
On page 7, delete lines 9 through 16, both inclusive, in their entirety.

On motion of Delegate Juneau the amendment was adopted.

Delegate Juneau moved to reconsider the vote by which the amendment was adopted, and on his own motion, the motion to reconsider was laid on the table.

**Section 11. Boards; Dual Membership Prohibited**
Section 11. No person shall be eligible to simultaneously serve on more than one board created by or pursuant to this Article.

Read.

Delegate Wall sent up floor amendments, which were read as follows:

**FLOOR AMENDMENTS**

Amendments proposed by Delegate Wall to Committee Proposal No. 7 by Delegate Aerkter, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1**—
On page 7, line 17, after the word “Prohibited” insert a semicolon “;” and add the following: “Student Membership Authorized”.

**AMENDMENT No. 2**—
On page 7, line 18, after “Section 11.” and before the word “No” insert the letter “(A)”.

**AMENDMENT No. 3**—
On page 7, between lines 20 and 21, insert the following: “(B) The legislature may provide for the membership of one student on the Board of Trustees for State Colleges and Universities, one student on the Board of Supervisors of the State University System, and one student on the Board of Supervisors of Southern University and Agricultural and Mechanical College whose terms shall not exceed one year. No student member shall be eligible to succeed himself. A student member shall enjoy all of the privileges and rights of other board members except the right to vote.”

Delegate Wall moved the adoption of the amendments. Delegate De Blieux objected.

A record vote was asked for and ordered by the Convention.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Delegates—

Aerkter
Alario
Alexander
Arnette
Avant
Bergeron
Blair
Brown
Cannon
Champagne
Chatelain
Comer
Conine
Corne
D’Gerolamo
Dunlap
Dyfard
Fother
Fontenot
Fulco
Gauthier
Giarrusso
Gaytan

Total—77.

Ginn
Graham
Gravel
Guarisco
Hayes
Hayes
Heine
Jackson, A.
Jackson, J.
Jackson, W.
Jackson, W.
Jackson, W.
Jackson, W.
Jackson, W.
Jackson, W.
Jackson, W.
Lee
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And the amendments were adopted.
Delegate Wall moved to reconsider the vote by which the amendments were adopted, and on his own motion, the motion to reconsider was laid on the table.

**Explanation of Vote**

I voted against the foregoing amendment based upon my belief that the subject matter contained in the amendment is purely legislative in nature  

**Robert Pugh, Delegate**

**Explanation of Vote**

I vote against the foregoing amendment based upon my belief that the subject matter contained in the amendment is purely legislative in nature  

**Clyde F. Bel., Sr., Delegate**

Delegate Tobias sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegate Tobias to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, between lines 20 and 21, in Floor Amendment No. 3 proposed by Delegate Wall and adopted by the Convention on November 15, 1973, on line 9, after the word and punctuation “himself,” delete the remainder of the line and delete lines 10 and 11 in their entirety.

Delegate Tobias moved the adoption of the amendment.
Delegate Flory objected.

By a vote of 39 yeas and 72 nays the amendment was rejected.

Delegate Flory moved to reconsider the vote by which the amendment was rejected, and on his own motion, the motion to reconsider was laid on the table.

Delegate Dennery sent up a floor amendment, which was read as follows:

**FLOOR AMENDMENT**

Amendment proposed by Delegates Dennery and Casey to Committee Proposal No. 7 by Delegate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

**AMENDMENT No. 1—**

On page 7, delete lines 17 through 20, both inclusive, in
Delegate Smith moved the previous question on the entire subject matter.
Delegate Velazquez objected.
By a vote of 63 yeas and 48 nays the previous question was ordered on the entire subject matter.

Passage
Committee Proposal No. 7, Section 11 was read, as amended.
Delegate Aertker moved the final passage of the Section.

ROLL CALL
The roll was called with the following result:

YEAS

Aertker
Alario
Alexander
Arnette
Avant
Badenou
Bel
Bergeron
Blair
Brown
Carmouche
Conroy
Derbes
Fayard

NYAS

Grier
Guarisco
Hardon
Hayes
Heine
Hernandez
Jack
Jackson, A.
Jenkins
Juneau
Kelly
Kilbourne
Landry, A.
Landry, E. J.
Leigh
Lowe
McDaniel
Martin
Maybucke
Mire
Morris
Nunez
O'Neill
Ourso
Perez
Planchard
Reeves
Roy
Sandoz
Schmitt
Shannon
Singletary
Smith
Sotol
Tapper
Sutherland
Tate
Thompson
Ullo
Vesien
Wall
Wattigny
Welsh
Willis
Winchester
Womack
Zervignon

NOT VOTING

Mr. Chairman
Abraham
Anzalone
Burson
Chehardy

And the Chair declared that the above Section was finally passed.
Delegate Aertker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Section 12. Parish School Boards; Parish Superintendents
Section 12. (A) Parish School Boards. The legislature shall create parish school boards and shall provide for the election of the members of such boards.
(B) Parish Superintendents. Each parish board shall elect
a superintendent of parish schools. The State Board of Elementary and Secondary Education shall fix the qualifications and prescribe the duties of the parish superintendent, who need not be a resident of the parish in which he serves.

Read.

Convention Secretary Dennery in the Chair

Delegate Jenkins sent up a floor amendment, which was read as follows:

FLOOR AMENDMENT

Amendment proposed by Delegates Jenkins, Henry, Roe-
mer, Stagg, O'Neill, A. Jackson, Kelly, Newton, Wall, Roy, 
Wren, Hayes, Pugh, Martin, Soniat, E. J. Landry, Guarisco, 
Abraham, Aliaro, Rachel, Velazquez, Bollinger, Champange, 
Shannon, Dunlap, Vick, Mire, Willis, Weiss, Heine, Slay, 
Blair, Brown, Elkins, Duval, Alexander, Brien, Segura, Wat-
tigny, Carmouche, Fontenot, Maybuce, Kilpatrick, Harder, 
Miler, Gauthier, Ginn, Fowler, Drew, J. Jackson, Warren, 
L. Bleu, and Gravel to Committee Proposal No. 7 by Dele-
gate Aertker, et al.

Amend reprinted as engrossed proposal as follows:

AMENDMENT No. 1—

On page 7, at the end of line 24, add the following:

"School board members shall be elected from single-mem-
ber districts at the first and each subsequent regular election 
for school board members after publication of the results 
of the 1980 decennial federal census;"

Delegate Jenkins moved the adoption of the amendment.

Delegate De Blieux objected.

A record vote was asked for and ordered by the Conven-
tion.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Aliaro
Bergeron
Blair
Bollinger
Champagne
Dunlap
Duval
Fontenot
Gauthier
Graham
Gravel
Guarisco
Hardee
Hayes
Total—40.

NAYS

Delegates—

Aertker
Arnette
Asseff
Avant
Badeaux
Brien
Burns
Carmouche
Casey
Chatelain
Conin
Conroy
Corne
Coven
D'Gerolamo
De Blieux
Denner
Dennis
Drew
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fulco
Gauthier
Total—104.

NAYS

Delegates—

Aertker
Arnette
Asseff
Avant
Badeaux
Brien
Burns
Carmouche
Casey
Chatelain
Conin
Conroy
Corne
Coven
D'Gerolamo
De Blieux
Denner
Dennis
Drew
Duval
Edwards
Elkins
Fayard
Flory
Fontenot
Fulco
Gauthier
Total—104.

NOT VOTING

Delegates—

Sutherland
Tapper
Tate
Toca
Total—66.

NOT VOTING

Delegates—

Comar
Derbes
Deshotels
Fowler
Ginn
Goldman
Hernandez
Kilbourne
LeBleu
Total—25.

And the amendment was rejected.

Delegate De Blieux moved to reconsider the vote by which 
the amendment was rejected, and on his own motion, the 
motion to reconsider was laid on the table.

Passage

Committee Proposal No. 7, Section 12 was read.

Delegate Aertker moved the final passage of the Section.

ROLL CALL

The roll was called with the following result:

YEAS

Delegates—

Abraham
Alexander
Anzalone
Brown
Burson
Cannon
Chehardy
Total—104.

NOT VOTING

Delegates—

Derbes
Deshotels
Fowler
Ginn
Goldman
Guarisco
Kilbourne
Total—20.
And the Chair declared that the above Section was finally passed.

Delegate Aetker moved to reconsider the vote by which the above Section was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Chairman Henry in the Chair

Motion

On motion of Delegate Stovall, the Convention altered the Order of Business to take up other Orders of Business at this time.

Delegate Dennery, Secretary of the Constitution Convention of 1973, submits the following report:

Constitutional Convention of 1973

State of Louisiana


To the Chairman and Delegates of the Convention:

I submit the following report:

That the following Committee Proposal has been properly re-enrolling reflecting correction of an error discovered with respect to Section 16:

COMMITTEE PROPOSAL No. 17—

Introduced by Delegate Perez, Chairman, on behalf of the Committee on Local and Parochial Government, and Delegates Burson, Cannon, Chatelain, Conino, D’Gerolamo, Fowler, Gueguen, Hayes, Heine, J. Jackson, Keen, Lanier, Reeves, Shannon, Stephenson, Taylor, Toomy, Ullo, and Zervigon: A PROPOSAL

Making general provisions for local and parochial government, levee districts, and ports, the financing thereof, and necessary provisions with respect thereto.

Be it adopted by the Constitutional Convention of Louisiana of 1973:

ARTICLE VI. LOCAL GOVERNMENT

Section 1. Creation, Dissolution, and Merger of Parishes; Change of Parish Lines; Change of Parish Seats; Existing Parishes

Section 1. (A) The legislature may establish and organize new parishes, dissolve and merge parishes and change parish boundaries, if two-thirds of the electors in each of the parishes affected voting at an election held for the purpose in each parish affected consent thereto.

(B) The governing authority of a parish, may call an election on the question of changing the location of the parish seat. The election shall be conducted in the manner provided by the general election laws in the state, insofar as applicable. The location of a parish seat shall be changed if two-thirds of the total vote cast at the election is in favor thereof.

Section 2. All parishes and their boundaries as established under existing laws are recognized and ratified.

Section 3. New or Enlarged Parishes; Adjustment of Assets and Liabilities

Section 3. When a parish is enlarged or created from contiguous territory, it shall be entitled to a just proportion of the property and assets and shall be liable for a just proportion of the existing debts and liabilities of the parish or parishes from which the territory is taken.

Section 5. Municipalities; Incorporation, Consolidation, Merger, and Government

Section 5. The legislature shall provide by general law for the incorporation, consolidation, merger, and government of municipalities. No local or special law shall be enacted to create a municipal corporation or to amend, modify, or repeal its charter. However, if a municipality is operating under a special legislative charter it may be amended, modified, or repealed by local or special law as long as such municipality continues to operate under such charter.

Section 6. Classification

Section 6. Except as provided in this constitution, the legislature may classify parishes or municipalities according to population or on any other reasonable basis related to the purpose of this classification, and legislation may be limited in its effect to any of such parishes or municipalities.

Section 7. Existing Home Rule Charters and Plans of Government of Parishes and Municipalities Ratified

Section 7. Every plan of government or home rule charter existing or adopted when this constitution is adopted shall have full force and effect and may be amended as provided therein. Except as inconsistent with the provisions of this constitution, each local governmental subdivision which has adopted such a home rule charter or plan of government shall retain the powers, functions and duties in effect when this constitution is adopted. Each of them, if its charter permits, shall also enjoy the right to any powers and functions granted to other local governmental subdivisions.

Section 8. Home Rule Charter

Section 8. (A) Subject to and not inconsistent with the provisions of this constitution, any local governmental subdivision may draft, adopt, or amend a charter of government to be known as a home rule charter in accordance with the provisions of this Section. The governing authority of any such local governmental subdivision may appoint a commission to prepare and propose a charter or alternate charter, or may call an election for the purpose of electing such a commission.

(B) The governing authority of any such local governmental subdivision shall call an election to elect a commission to prepare and propose a charter or alternate charter when presented with a petition signed by not less than ten thousand residents of the subdivision or ten percent of the qualified electors therein. The lesser, who live within the boundaries of the affected subdivision, as certified by the registrar of voters.

(C) A home rule charter shall be adopted, amended, or repealed when approved by a majority of the electors who vote on the proposal at an election held for the purpose of voting thereon.

(D) Two or more local governmental subdivisions situated within the boundaries of one parish may adopt themselves to the provisions of this Section, provided that a majority of the electors in each of the local governmental subdivisions who vote in an election held for that purpose vote in favor thereof. The legislature shall provide for the method of appointment or election of a commission to prepare and propose such a charter consistent with Paragraph (A) of this Section. However, at least one member of the commission shall be elected or appointed from each affected local governmental subdivision. The legislature shall provide the method by which the electors of more than one local governmental subdivision within the boundaries of one parish may petition for an election for such purpose consistent with Paragraph (B) of this Section.

(E) A home rule charter adopted pursuant to the provisions of this Section shall provide for the structure and functions for the powers, functions and duties of the local governmental subdivision which may include the exercise of any power and performance of any function necessary, requisite, or proper for the management of its affairs, not denied by general law or inconsistent with any provision of this constitution. The legislature shall not pass any law the effect of which changes, modifies, or affects the structure and organization and/or the particular distribution and redistribution of the powers and functions of any local governmental subdivision which operates under a home rule charter.

(F) A local governmental subdivision adopting a home rule charter under this Section shall also enjoy such additional powers and functions as are granted to local governmental subdivisions by other provisions of this constitution.

(G) No home rule charter or plan of local government shall contain any provision inconsistent with this constitution or any law now or hereafter enacted which affects the duties of district attorneys, sheriff, assessor, clerk of a district court, coroner, parish school board, or city school board.

(H) Notwithstanding any provision of this Article to the contrary, the courts and their officers may be established and be exercised only as provided in Article V of this constitution.

Section 9. Powers of Other Local Governmental Subdivisions

Section 9. (A) Subject to and not inconsistent with any provision of this constitution, the governing authority of
any other local governmental subdivision may exercise any power and perform any function necessary, requisite, or proper for the management of the affairs of the local government subdivision not denied by its charter or by general law, provided that a majority of the electors in the affected local governmental subdivision who vote in an election held for that purpose vote in favor of the proposition that such governing authority may exercise such general authority. The absence of such a favorable vote, such local governmental subdivision shall have such power, as authorized by this constitution or by law.

(B) Nothing contained in this Section shall be construed to affect the powers and functions of a parish or city charter created by the officers of a parish or city attorney, sheriff, clerk of a district court, coroner, or assessor.

(C) Notwithstanding any provision of this Article to the contrary, the courts and their officers may be established and affected only as provided in Article V of this constitution.

Section 11. Home Rule Parish; Incorporation of Cities, Towns, and Villages

No parish plan of government or home rule charter shall prohibit the incorporation of cities, towns, or villages as provided by general law.

Section 12. Limitations of Local Governmental Subdivisions

(a) Local governmental subdivisions shall not: (1) define and provide for the establishment of a city or village; or (2) except as may be provided by law, enact private or civil ordinances governing civil relationships.

(b) Notwithstanding any provision of this Article, the police power of the state shall never be abridged.

Section 12.1. Ordinances of Quasi-Public Bodies

The governing authority of each political subdivision shall within two years of the effective date of the adoption of this constitution, cause a code to be prepared covering all of the ordinances of the political subdivision of general application which are or shall be appropriate for continuation as law. When the code shall have been prepared the governing authority of the political subdivision shall cause copies of the same to be prepared and made available for public distribution. All new ordinances of general application adopted after the approval of the code shall be adopted as amendments or additions to the code.

Section 13. Local Officials

The electors of each local governmental subdivision shall have the exclusive right to elect their governing authority. Nothing herein shall be construed to prohibit the election of the members of any governing authority on the basis of single member districts.

Section 14. Local Officials; Compensation

The compensation method of fixing the compensation of a local official of any local governmental subdivision which operates under a home rule charter or plan of government as provided in Sections 7 and 8 of this Article, shall be provided in its charter. The compensation or method of fixing the compensation of local officials of any other local governmental subdivision shall be provided for by law. Compensation of local officials shall not be reduced during the terms for which they are elected.

Section 15. Filling of Vacancies; Appointment

Section 15. (A) Except as otherwise provided in this constitution, and except for the office of assessor, a vacancy in any local office filled by election wholly within the boundaries of a local governmental subdivision or a parish or city school district, shall be filled by appointment by the governing authority of such local governmental subdivision or school district in which the vacancy occurs, until it is filled by election as provided by law.

(B) The provisions of this Section shall apply to all local governmental subdivisions not provided for by the home rule charter or the home rule plan of government of the affected local governmental subdivisions.

Section 16. Legislation Increasing Financial Burden of Political Subdivisions; Local Approval

No law requiring an increase in expenditures for wages, hours, working conditions, pension and retirement benefits, vacation or sick leave benefits of political subdivision employees, except a law providing for civil service, minimum wages, working conditions, and retirement benefits for firemen, municipal policemen, shall take effect until approved by ordinance enacted by the governing authority of the political subdivision affected thereby or until the legislature appropriates funds to the affected political subdivision for that purpose and only to the extent and amount that such funds are provided in the legislature. Such ordinance shall be in effect unless and until a majority of the voters voting in the election held for that purpose shall by vote thereon in the local governmental subdivision create such special districts, agencies, commissions, authorities, and powers of such special district or local public agency. No such merger and consolidation the local governmental subdivision shall take place unless a majority of the voters voting thereon in the local governmental subdivision as a whole and a majority of the electors voting thereon in the affected special district vote in favor of such proposition.

Nothing in this Section shall be construed as applying to parish and municipal school boards.

Section 17. Governing Authorities of Local Governmental Subdivisions; Control Over Agencies They Create

For the purposes of this Section, the governing authority of any local governmental subdivision shall have general power over any agency heretofore or hereafter created by it, including, without limitation, the power to abolish any such agency and to require prior approval of any charge or tax levied, or bond issue to be floated by such agency.

Section 18. Special Districts and Local Public Agencies; Consolidation, Merger, and Assumption of Debt

Section 18. (A) Any local governmental subdivision may create and merge into itself any special district or local public agency, except a school district, situated and having jurisdiction entirely within the boundaries of such local governmental subdivision. Upon such merger and consolidation the local governmental subdivision shall succeed to all rights, properties, privileges, and liabilities of the special district or local public agency. No such merger and consolidation shall take place unless a majority of the voters voting thereon in the local governmental subdivision as a whole and a majority of the voters voting thereon in the affected special districts vote in favor of such proposition.

No such action involving a local public agency shall take place unless a majority of the electors voting thereon in the local governmental subdivision in which the local public agency is located vote in favor thereof in an election held for that purpose.

(B) If the special district or local public agency which is consolidated and merged has any outstanding indebtedness or the authority or the governing authority of the local governmental subdivisions involved authorized by law, such indebtedness may be exercised unless provision is made for the assumption of such indebtedness by the governing authority of the local governmental subdivisions involved.

Section 19. Land Use, Zoning and Historic Preservation

Subject to the provisions of Sections 15 and 16, the special districts, boards, commissions, and agencies, created by law, are authorized and empowered to regulate and control land use and the land use regulations, within any political subdivision, and to adopt and enforce all ordinances, orders, rules and regulations, within any political subdivision, for the preservation and protection of historic or cultural resources, or to otherwise provide for the regulation of such land use vegetation as and when they are deemed proper and necessary.
political subdivisions, either within or without the state, with the United States or agencies thereof, except as the legislature shall provide otherwise by law.

Section 24. Assistance to Local Industry by Political Subdivisions; Deep-Water Port Commission, or Deep-Water Port, Harbor, and Terminal Districts

Section 24. Subject to such restrictions as it may impose, the legislature may authorize any political subdivision, deep-water port commission, or deep-water port, harbor, and terminal district, in order (1) to induce and encourage the location of or addition to industrial enterprises therein which may produce a beneficial impact upon the area and thereby the state, or (2) to provide for the establishment and furnishing of such industrial plant, or (3) to provide movable or immovable property, or both, for pollution control facilities: (a) to issue bonds, subject to the approval of the State Bond Commission, or any successor thereto, and to use the funds derived from the sale thereof to acquire and improve industrial plant sites and other property necessary to the purposes thereof; (b) to acquire, through purchase, donation, exchange, and subject to Article 1, Section 3, expropriation, and to improve industrial plant buildings and industrial plant equipment, machinery, furnishings, and appurtenances; and (c) to sell, lease, lease-purchase, or demolish all or any part thereof for reusing.

No property expropriated under the authority of this Article shall ever, directly or indirectly, be sold or donated to any foreign power, any alien, or any corporation in which the majority of the stock is controlled by any foreign power, alien, or the government of any foreign power.

The provisions of this Section shall not apply to school boards.

Section 26. Uniform Procedure for Calling, Conducting, and Convassing the Returns of Certain Special Elections

Section 26. Any election is required to be held in any political subdivision pursuant to the provisions of this constitution which require submission to the voters of any proposition or question, the election shall be called, conducted, and the returns thereof canvassed, in accordance with the procedures established by law pertaining to elections for incurring bonded indebtedness and special taxes relative to local finance, as the same now exists or may hereafter be amended, or as may be otherwise provided by law.

Section 27. Acquisition of Property

Section 27. Subject to and not inconsistent with any provision of this constitution and subject to such restrictions as the legislature may provide by general law, political subdivisions may acquire, by purchase, donation, expropriation, or exchange. The public, represented by the various local governmental subdivisions, may acquire servitudes of way by prescription in the manner prescribed by law.

Section 28. Prescription Against State

Section 28. Prescription shall not run against the state in any civil matter, unless otherwise provided in this constitution or expressly by law.

PART II. FINANCE

Section 31. Parish Tax Limits; Increase; Withdrawal of Municipality from Parish Taxing Authority

Section 31. (A) The governing authority of each parish may levy an ad valorem tax for general purposes, in an amount not to exceed in any one year, four mills on the dollar of assessed value, except in Orleans Parish the limitation shall be seven mills and in Jackson Parish the limitation shall be five mills. Millage rates may be increased in any parish when approved by a majority of the electors who vote in an election held for that purpose.

(B) When the millage increase is for other than general purposes, the proposition shall state the specific purpose for which the tax is to be levied, the length of time the tax is to remain in effect, and all proceeds of the tax shall be used solely for the purpose or purposes set forth in the proposition.

(C) The amount of the parish tax for general purposes which any parish, except the parish of Orleans, may levy, without a vote of the electors, on property located wholly within any municipality, which has a population in excess of one thousand inhabitants according to the last federal decennial census, or such other census as may be required for by law, and which provides and maintains a system of street paving, shall not exceed one-half the tax levy for general purposes.

(D) This Section shall not be construed to repeal or affect the withdrawal of property in a municipality from parochial taxing jurisdiction, in whole or in part, by a provision of the legislative charter of the municipality in effect on the date of adoption of this constitution.

Section 32. Municipal Increase

Section 32. (A) The governing authority of each municipality may levy an ad valorem tax for general purposes, in an amount not to exceed in any one year, seven mills on the dollar of assessed valuation; provided that where any municipality, by its charter or by law, excepts parish taxes or, under legislative authority, maintains its own public schools, it may levy an annual tax not to exceed ten mills of the dollar of assessed valuation. Millage rates may be increased in any municipality when approved by a majority of the electors who vote in an election held for that purpose.

(B) When the millage increase is for other than general purposes, the proposition shall state the specific purpose or purposes for which the tax is to be levied, the length of time the tax is to remain in effect, and all proceeds of the tax shall be used solely for the purpose or purposes set forth in the proposition.

(C) This Section shall not apply to the city of New Orleans.

Section 33. Local Governmental Subdivision; Occupational License Tax; Limitations

Section 33. Local governmental subdivisions may impose an occupational license tax in an amount not greater than that imposed by the state. However, those who pay municipal occupational license taxes shall be exempt from payment of occupational license taxes to the extent of the municipal tax.

Local governmental subdivisions may impose an occupational license tax in an amount greater than that imposed by the authorized or authorized by an act passed by at least a three-fourths vote of the electors of each house of the legislature.

Section 34. Local Governmental Subdivisions and School Boards; Sales Tax Authorized; Limitations; Exceptions; Protection of Existing Sales Tax Authorizations and the Security of Outstanding Bonds

(A) Except as otherwise authorized in a home rule charted as provided for in Section 7 of this Article, any local governmental subdivision or school board may levy and collect a tax on the sale at retail, the use, rental, or lease of any tangible personal property and on sales of services as defined by law.

(B) An election held for that purpose. The rate thereof, when combined with the rate of all other presently imposed or future sales and use taxes, excluding of state sales and use taxes, levied and collected within any local governmental subdivision, shall not exceed three percent; however, the legislature may by general or special law, authorize the imposition of additional sales and use taxes by local governmental subdivisions or school boards, upon approval by the electors thereof as herein provided. Nothing contained in this Subsection shall be construed to affect any sales or use tax authorized or imposed on the effective date of this constitution or to affect or impair the validity of any tax imposed from such tax.

(B) Except where bonds in connection therewith have been authorized, the legislature may uniformly exempt or exclude from the coverage of tangible personal property or services from sales or use taxes levied by local governmental subdivisions, school boards, and the state.

Section 35. Political Subdivisions; Taxing Power; Limitations

Section 35. Political subdivisions may exercise the power of taxation, subject to such limitations as may be elsewhere provided in the constitution, under authority granted to them by the legislature for parish, municipal, and local purposes, strictly in public need for their nature. The provisions of this Section shall not apply to, nor affect, similar grants to such political subdivisions under other sections of this constitution which are self-operative.

Section 36. Special Taxes; Ratified

Section 36. (A) Any special tax being levied by any polit-
Section 42. Local Improvement Assessments
Section 42. (A) The legislature shall provide by general law or by local or special law the procedures by which political subdivisions levy and collect local or special assessments on real property, for the purpose of acquiring, constructing, improving, or improving any work of public improvement.
(B) Certificates of indebtedness authorizing the issuance of bonds to cover the cost of any such public improvement shall be secured by the pledge of the local or special assessments levied therefor, and may be further secured by the pledge of the full faith and credit of the political subdivision.
(C) The provisions of this Section shall not apply to school boards.

Section 43. Revenue-Producing Property
Section 43. (A) The legislature may authorize political subdivisions to issue bonds or other debt obligations for the purpose of constructing, acquiring, extending, or improving any revenue-producing public utility or work of public improvement. The bonds or other debt obligations may be secured by mortgage on the lands, buildings, machinery, and equipment of such utility or work of public improvement and shall not be a charge upon the income and revenues of the political subdivision.
(B) The provisions of this Section shall not apply to school boards.

PART III. LEVEE DISTRICTS

Section 44. Levee Districts
Section 44. (A) Levee districts as now organized and constituted shall continue to exist, except that:
(I) The legislature may provide for the consolidation, disbanding or reorganization of existing levee districts or create new levee districts. However, the members of the boards of commissioners of districts hereafter created shall be appointed or elected from residents of such district, as provided by law.

Any levee district whose flood control responsibilities are limited to and which is situated entirely within the boundaries of one parish may be merged and consolidated into such parish under the terms and conditions and in the manner provided in Section 16 of this Article. This provision shall not be self-executing.
(B) No action taken hereunder shall impair the obligation of any outstanding bonded indebtedness or of any other contract of such levee district.

Section 45. District Taxes; Increase in Tax to Raise Additional Funds
Section 45. (A) For the purpose of constructing and maintaining levees, levee drainage, flood protection, hurricane flood protection, and for all other purposes incidental thereto, the governing authority of any district, may levy annually taxes not to exceed two mills on the assessed valuation, except the Board of Levee Commissioners of the Orleans Levee District which may levy annually a tax not to exceed two and one-half mills on the assessed valuation of all taxable property situated within the alluvial portions of said district subject to federal control.
(B) Should the necessity to raise additional funds arise in any levee district for any of the purposes herein set forth, or for any other purpose related to its authorized powers and functions which may be specified by the legislature, the board of levee commissioners therein authorized may be increased. However, before taking effect, the necessity for the increase and the rate thereof shall be submitted to the voters of such district and no increase in taxes shall occur unless a majority of the electors in such district who vote in the election hereinafter provided for vote in favor thereof.

Section 46. Bond Issues
Section 46. (A) Subject to the approval of the State Bond Commission or any successor thereto, the governing body of any levee district may fund the avails of said taxes or other revenues into bonds, or other evidences of indebtedness, the proceeds thereof to be used for the purposes mentioned in this Article or for the funding or payment of any outstanding indebtedness.

Section 48. Cooperation with Federal Government
Section 48. All governing authorities of levee districts which have been, or may be created, are authorized to cooperate with the federal government in the construction and maintenance of the levees in this state, on such terms and
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conditions as may be provided by the federal authorities and accepted by the levee districts.

Section 49. Compensation for Property Used or Destroyed; Tax

(A) Notwithstanding any other provision of this constitution, lands and improvements thereon hereafter actually used or destroyed for levees or levee drainage purposes shall be paid for as provided by law; and provided further, nothing contained in this Paragraph with respect to compensation for lands and improvements shall apply to bateau or to property the control of which is vested in the state or any political subdivision thereof for the purpose of commerce.

(B) If the district has no other funds or resources out of which such payment can be made, it shall levy, on all taxable property situated within the district, a tax sufficient to pay for said property so used or destroyed to be used solely in the district where collected.

(C) Nothing contained in this Section shall prevent the appropriation of said property before payment.

PART IV. PORTS

Section 50. Ports

Section 50. All deep-water port commissions and all deep-water port, harbor, and terminal districts as they are now organized and constituted, including their powers and functions, structure and organization, and territorial jurisdiction, are ratified and confirmed and shall continue to exist, except that:

(A) The legislature may grant additional powers and functions to any such commission or district and may create new port commissions or port, harbor, and terminal districts;

(B) The legislature may consolidate or abolish any such commission or district or may diminish, reduce, or withdraw from any such commission or district any of its powers and functions and may affect the structure and organization, distribution, and redistribution of the powers and functions of any such commission or district, including additions or reductions of its territorial jurisdiction, only by act passed by a favorable vote of at least two-thirds of the elected membership of each house of the legislature.

(C) The legislature shall make provisions with respect to the membership of the herein provided commissions. Once the membership is established it may be changed only upon two-thirds vote of the elected members of each house of the legislature.

PART V. DEFINITIONS

Section 51. Terms Defined

Section 51. As used in this Article:

(1) "Local governmental subdivision" means any parish or municipality;

(2) "Political subdivision" means parishes and municipalities, and any other unit of local government, including school boards and special districts, authorized by law to perform governmental functions;

(3) "Municipality" means all incorporated cities, towns, and villages;

(4) "Governing authority" means the body which exercises the legislative functions of the political subdivision;

(5) "General law" means a law of statewide concern enacted by the legislature which is uniformly applicable to all persons or to all political subdivisions in the entire state or which is uniformly applicable to all persons or to all political subdivisions within the same class.

(6) "General obligation bond" means those bonds, the principal and interest of which are secured by and payable from ad valorem taxes levied without limitation as to rate or amount;

(7) "Deep-water port commissions and deep-water port, harbor, and terminal districts" means those commissions or districts within whose territorial jurisdiction exist facilities capable of accommodating vessels of at least twenty-five feet of draft and of engaging in foreign commerce.

Respectfully submitted,

MOISE W. DENNERY
Secretary

Leaves of Absence

Delegate Burson—1 day.
Delegate Mire—1/2 day.
Delegate Chehardy—1 day.
Delegate Abraham—1/2 day.
Delegate Anzalone—1 day.
Delegate Tobias—after 5:00 o'clock P.M.

Adjournment

Delegate Smith moved that the Convention do now adjourn until Friday, November 16, 1973 at 8:00 o'clock A.M.

Which motion was agreed to.

And Chairman Henry declared the Convention adjourned to Friday, November 16, 1973 at 9:00 o'clock A.M.

MOISE W. DENNERY
Secretary

DAVID R. POYNTER
Chief Clerk

SEE VOLUME 2 FOR THE 87th THROUGH 122nd DAY'S PROCEEDINGS AND THE CONSTITUTIONAL CALENDAR.